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Harvard College Library

FROM THE

BRIGHT LEGACY.

Descendants of Henry Bright, jr., who died at Watertown, Mass., in 1686, are entitled to hold scholarships in Harvard College, established in 1886 under the will of

JONATHAN BROWN BRIGHT

of Waltham, Mass., with one half the income of this Legacy. Such descendants failing, other persons are eligible to the scholarships. The will requires that this announcement shall be made in every book added to the Library under its provisions.

Received 1st of Nov. 1903.

220
1001



From painting by H. A. McArdle.

BATTLE OF SAN JACINTO.

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YEAR BOOK FOR TEXAS

PARTY CONVENTIONS, ELECTION RETURNS, INAUGURATION OF
GOVERNOR LANHAM AND LIEUTENANT-GOVERNOR NEAL, LEG-
ISLATIVE WORK, PUBLIC OFFICIALS AND CURRENT RE-
PORTS OF DEPARTMENTS AND STATE INSTITUTIONS,
IMPORTANT EVENTS, OBITUARIES OF DISTIN-
GUISHED DEAD, INDUSTRIAL DEVELOPMENT,
STATISTICS, BIOGRAPHICAL SKETCHES,
AND HISTORICAL MANUSCRIPTS
NEVER BEFORE PUBLISHED

BY

C. W. RAINES
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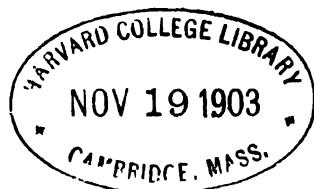
EDITOR OF "LUBBOCK'S MEMOIRS," AND AUTHOR OF A "LIFE OF SANTA ANNA"
AND A "BIBLIOGRAPHY OF TEXAS"

ILLUSTRATED WITH FULL PAGE ENGRAVINGS

VOL. II

AUSTIN, TEXAS
GAMMEL-STATESMAN PUBLISHING COMPANY
1903

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Bright fund.
(II)

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1903

DEDICATORY PREFACE.

Recognizing the debts of gratitude due the explorers, pioneer settlers, soldiers and statesmen who in time past, each in their turn, contributed to the building of the stately edifice of the Texas Commonwealth, every era and emergency producing the men it needed, the first volume of this historical series was, as a general acknowledgment to the past, dedicated to the heroes of the Texas revolution, to whom we owe more than to any other individuals numbered among those who have lived and are now no more.

With our institutions firmly grounded and liberty secure, the way has been cleared for still more mighty and effectual accomplishments. The principal of these, the urgent vital task of the hour, is industrial development. Upon the rapidity with which, and degree to which, it is attained depends not only the future wealth, but political and martial power of the State.

Men capable of pushing forward this great work are pre-eminently those who are now most needed and, as a recognition of their essential value, and of the fact that our own time alone is actual and the men of our own day of paramount importance and worthy successors of those who have gone before, the present volume is dedicated to an able, resourceful and patriotic living Texan, distinguished financier, and capable and successful captain of industry,

JOHN H. KIRBY, OF HOUSTON,

and to him, and his colleagues, the following lines are respectfully inscribed:

Dimly o'er the sky of Europe,
Twilight held its gloomy sway.
Slowly moved the wheels of progress
Through a rough and rugged way;

Till at last the beaming morning
Of a better day shone bright,
Dawning with its radiant glory,
Shining with effulgent light.

Destiny then broke asunder
(With a might Fate only can)
Ancient fetters that for ages
Bound the minds and hopes of man.

Time was ripe for wondrous changes;
Fullness then of time complete,
When across the western billow
Came the heaven-guided fleet

Of Columbus, o'er the waters
Steering onward, westward bound.
Earth's great future to develop
Needed, was the new world found.

DEDICATORY PREFACE.

Soon there followed other travelers
 Seeking strange lands to explore.
 Next a more enduring band came,
 Building homes along the shore;

Tillers of the soil and herdsmen,
 Who life's daily battle fought—
 Liberty of thought and conscience
 Pioneers and pilgrims sought—

Fathers of those heroes, fearless
 Sturdy colonists who broke
 (In the revolution's struggle)
 Tyranny's oppressive yoke.

Trusting God would crown their efforts
 With His blessing and His aid,
 Soon there was a strong foundation
 Of a great republic laid.

Of the new world's lands that flourish
 In the goodly growing west
 Texas' prairies, farms and cities,
 And its sunny skies seem best.

There is no land so consecrated,
 By the blood of patriots shed—
 Those who strove for independence
 And in early battles bled.

There is no grander scroll recording
 Noble deeds of prouder fame,
 Than in Texas' thrilling history
 Since the time De Vaca came;

None richer in romantic stories,
 None more stirring themes contain—
 Worthy of the lyric muse's
 Loftiest, divinest strain.

There is no land so fair as Texas—
 None whose future years gleam more,
 In the light of promise showing
 Good and high renown in store.

Star of Texas! that once glittered
 Over San Jacinto's fray,
 Golden star that now mounts upward,
 Guide us ever on our way.

Captains of Industry's army!
 In the varied scenes you face
 Triumph in commercial struggles
 For prosperity and place

Triumph as did our sturdy heroes
 And pioneers of yore,
 While our Commonwealth's firm structure
 Towers grander evermore,

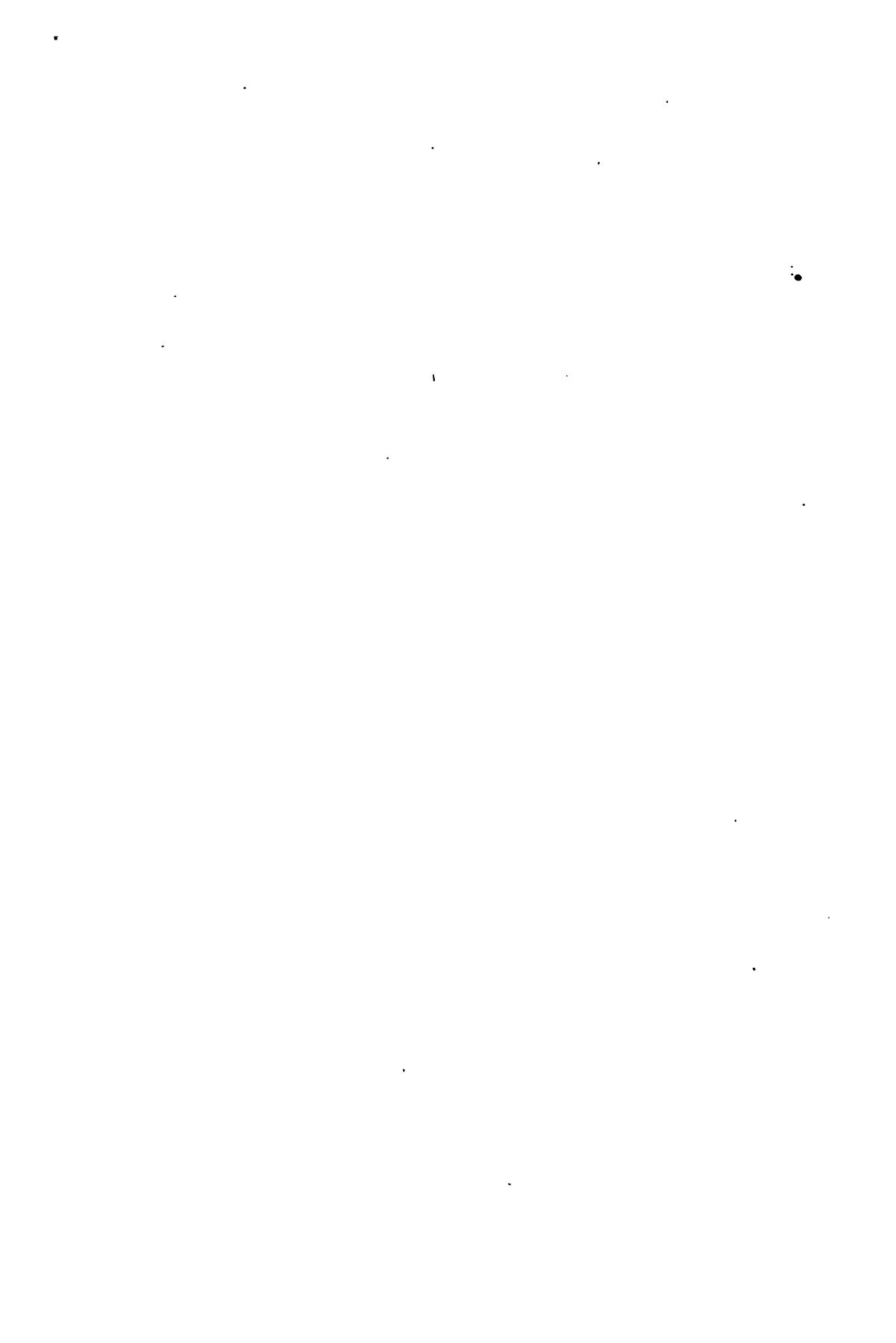
Till its people shall be happiest,
 Richest, most benign and free,
 E'er on field of human effort,
 Ushered in by Time's decree.

PREFACE.

Volume II of the Year Book for Texas is now presented to the public. The subject matter is exclusively Texan. It will be found fresh, and I trust accurate in statement. I acknowledge my obligations to friends for the contributed papers. Mr. E. H. Loughery has been my efficient co-laborer in this volume as in the first. Otherwise the work could not have been written. The special feature of this volume is the series of historical papers published for the first time. They were copied from the Bryan collection of MSS. in the library of the University of Texas and from the Nacogdoches collection in the State Library. To students of Texas history this will be an enhancement of the value of the work.

C. W. RAINES.

Austin, Texas, September 12, 1903.

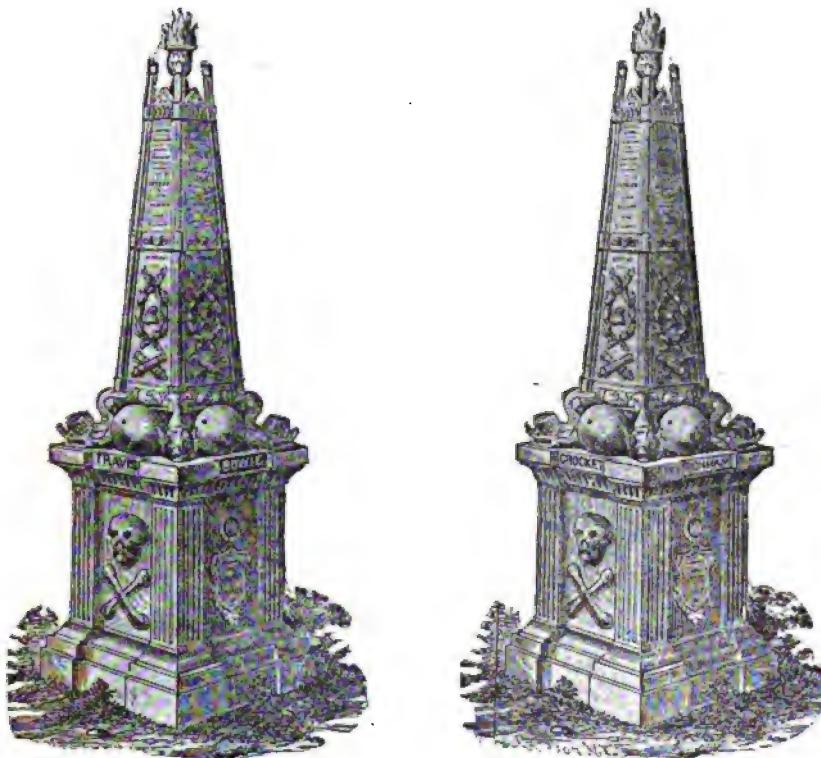


THE YEAR BOOK FOR TEXAS

THE ALAMO MONUMENT.

[Abridged from my paper in the Quarterly of the Texas Historical Association, April, 1903.—C. W. Raines.]

The pictures below furnish the readers of the "Year Book" two excellent views of this famous monument, some facts about which are set forth in this article.



It is described in Baker's Scrap Book as follows:

"This monument is ten feet high, and made from stone taken from the ruins of the Alamo. The style of architecture is the composite, and

is divided into ten sections. The first section, or base of the monument, is one solid piece, bearing the whole structure. The second section is a square plinth, neatly impaneled. The third section is a sub-plinth, with Gothic molding and roped bead, symbolical of binding the whole structure firmly. The fourth section is the die, or main body of the monument, consisting of four panels in recess, supported by rude fluted pilasters at each corner. On two of these panels are raised shields, on which are inscribed, in raised letters, the names of every man who fell at the battle of the Alamo. Each shield is suspended from a beautiful wreath, in the center of which is a bouquet of flowers. The shields and wreaths sustaining them are encircled by honeysuckles and vines. On the other panels of section four is represented the skull and bones crossed. Above the skull are two angels facing each other, blowing trumpets. Below the cross bones are the symbols of Time—the hour-glass, scythe, and wings. Section 5 is a solid cap resting on the main body, projecting with Gothic moldings handsomely carved, representing oak leaves at the corners. On the top of the cap is a square facia forming recesses in which is inscribed, in large raised Gothic letters, the names of the gallant spirits who fell at the head of the heroes of the Alamo. Each name—that of Crockett, Bonham, Travis and Bowie—stands out singly in bold relief, on each of the four fronts. From the center of this cap springs the main shaft or spire, and upper structure.

"Section 6 is a Corinthian base, forming four square angles. At each angle is a dolphin, in solid carved work. On each side, in the center, is a bombshell of full size, and made of solid stone. Section 7 is the base of the shaft, with raised fluted corners, and rests upon the Corinthian base, supported at the corners by the tails of the dolphins, and at each side by the bomb shells. In the panels on the base and over the bomb shells, are raised hands in the grasp of friendship. Section 8 is the first division of the shaft, with raised fluted corners and panels in recess. At the base of each panel are cannon crossed in bold relief. Above these cannon on each panel is the Cap of Liberty, surrounded by branches of oak and laurel. Immediately above these, in raised letters, is inscribed, on each of the four fronts, March 6, 1836, the date of the battle. On top of this section of the shaft is a cap, with raised fluted corners and recess panels. In two of these panels stand in relief, the heads of angels with wings. On one of the other panels is, in relief, a heart pierced with two crossed daggers; and on the other panel is a skull with twigs crossed underneath. Section 9 is the second division of the shaft, with devices in raised Gothic letters. Section 10 is a cap on top of section 9, forming four Gothic points; and in each, in a recess panel, stands in bold relief, the Lone Star of Texas. Underneath the stars are raised daggers. In the center of the cap above the stars stands an urn with flame issuing from it; and at each corner of the cap on which the large urn rests, are four smaller urns, out of which also issues flame.

"This monument was made in the Republic of Texas by American artists. Viewing the work as a whole, both as to boldness and appropriateness of design and beauty of execution, it would reflect credit on any artist of ancient or modern times."

Besides those of Travis, Bowie, Crockett, and Bonham, the following names were on the monument:

M. Autry, R. Allen, M. Andress, Ayers, Anderson, W. Blazeby, J. B. Bowman, Baker, S. C. Blair, Blair, Brown, Bowin, Balentine, J. J. Baugh, Burnell, Butler, J. Baker, Burns, Bailey, J. Beard, Bailess, Bourn, R. Cunningham, J. Clark, J. Cane, Cloud, S. Crawford, Cary, W. Cummings, R. Crossan, Cockran, G. W. Cottle, Y. Dust, J. Dillard, A. Dickinsae, C. Despalier, L. Davell, J. C. Day, J. Dickens, Dwault, W. Dearduff, J. Ewing, T. R. Evans, D. Floyd, J. Flanders, W. Fishbaugh, Forsyth, G. Fuga, J. C. Goodrich, J. George, J. Gaston, J. C. Garrett, C. Grimes, Gwyn, J. E. Garwin, Gillmore, Hutchason, S. Hollaway, Harrison, Hieskell, J. Hays, Horrell, Harris, Hawkins, J. Holland, W. Hersie, Ingram, John, J. Jones, L. Johnson, C. B. Jamison, W. Johnson, T. Jackson, D. Jackson, Jackson, G. Kemble, A. Kent, W. King, Kenney, J. Kenny, Lewis, W. Linn, Wm. Lightfoot, J. Lonly, Lanio, W. Lightfoot, G. W. Lynn, Lewis, W. Mills, Micheson, E. T. Mitchell, E. Melton, McGregor, T. Miller, J. McCoy, E. Morton, R. Musselman, Millsop, R. B. Moore, W. Marshall, Moore, R. McKenny, McCaferty, J. McGee, G. W. Main, M. Querry, G. Nelson, Nelson, J. Noland, Nelson, Wm. G. Nelson, C. Ostiner, Pelone, C. Parker, N. Pollard, G. Paggan, S. Robinson, Reddenson, N. Rough, Rusk, Robbins, W. Smith, Sears, C. Smith, Stockton, Stewart, A. Smith, J. C. Smith, Sewall, A. Smith, Simpson, R. Star, Starn, N. Sutherland, W. Summers, J. Sumerline, Thompson, Tomlinson, E. Taylor, G. Taylor, J. Taylor, brothers; W. Taylor, Thornton, Thomas, J. M. Thruston, Valentine, Williamson, D. Wilson, Walsh, Washington, W. Wells, C. Wright, R. White, J. Washington, T. Waters, Warnall, J. White, D. Wilson, J. Wilson, A. Wolf, L. J. Wilson, Warner.

The fall of the Alamo occurred on Sunday morning, March 6, 1836. The end of the ensuing campaign at San Jacinto found the Mexicans in hasty flight from Texas. On the evacuation of San Antonio in May, 1836, the Alamo was blown up by General Andrade, and many of the stones from its walls were scattered over the adjoining plaza. The Alamo monument, intended to commemorate the heroism of its defenders, was made from these stones of the dismantled fortress in the latter part of 1841. After a checkered life of forty years (if a thing inanimate hath life), it perished in the burning of the capitol on November 9, 1881. Only a fragment of the obelisk survived the ruin; but fortunately, it retained on its four sides, plain and legible, all the inscriptions. This sole fragment of the original monument may be now seen on the floor of the State Library.

Mr. Nangle, a lapidary of Philadelphia, and Joseph Cox, a stone-

cutter, were the sculptors of the Alamo monument. These men were jointly engaged in the summer of 1841 at San Antonio in manufacturing from the stones of the Alamo various small mementoes, such as vases, the fine work being done by Nangle and the first roughing out by his companion.

Capt. Reuben M. Potter, under date of July 10, 1874, Fort Wood, N. Y., writes to Adjutant-General Steele, at Austin, the following:

"As you have alluded to my rumored share in originating this (Alamo) monument, it may not be amiss here to state in what my limited claim to it consists. I suggested the first crude idea of such a memento made from the stones of the Alamo and furnished some of the inscriptions and devices. In 1841 I found in San Antonio a man named Nangle, a lapidary of unusual skill, then engaged in making from the material above mentioned, for sale, divers small tokens, such as vases, and pipes, and candlesticks. I advised him to construct a monument of size suitable for decoration of the interior of some public building and offer it for sale to the government of Texas, unless he should prefer to make a present of it by way of advertising his artistic ability. The form I suggested was that of a Roman altar having on the upper entablature of one side a heart pierced with two crossed falchions, significant of immolation; on the opposite, a skull with two crossed palm leaves below it, typical of victorious death; and on the other two upper fronts, a lone star and a liberty cap, each supported by branches of oak and olive. Those emblems are found on some part of the actual memento. The inscriptions I proposed were: For one side of the main body, the names Travis, Bowie, Crockett, Bonham, and for the other sides, three of the epitaphs which have been adopted. The artist disposed of the four principal names more tastefully on the four fronts of the entablature, and put on the side I had allotted to them, an inscription better than any of mine: 'Thermopylae had her messenger of defeat—the Alamo had none.' Where he got it, I know not. The expression occurred in some public address of that day; but I can not say whether the orator borrowed from the monument, or the reverse.

"The altar shape is alluded to in one of my inscriptions, which now seems out of place on an ornate obelisk; but a form so simple and stern as that I recommended, though suitable for a massive structure on the scene of slaughter, was less fitting for an inside decoration; and the artist did well to amplify the primitive idea which I gave him."

The inscriptions proposed by Captain Potter were as follows: "To the God of the fearless and free is dedicated this altar made from the ruins of the Alamo," on the east side of the monument; "Be they enrolled with Leonidas in the host of the mighty dead," on the west side; and "Blood of heroes hath stained me; let the stones of the Alamo speak, that their immolation be not forgotten," on the north side. The remaining one on the south side, referred to above, "Thermopylae had her messenger of defeat—the Alamo had none," has been ascribed,

on good authority¹ to Gen. Thomas Jefferson Green. Judging from General Green's well known patriotism and literary ability, it is not intrinsically improbable that he suggested to the artist the words of this noble sentiment in the inscription on the south side of the obelisk.

Nangle died soon after he finished the monument. It then fell into the hands of his co-worker Cox, who, failing to sell it to the government, carried it around over the Republic for exhibition. At least so we learn from the "Morning Star" of the period, which said that the Alamo monument was exhibited by Cox in July, 1843, in the city of Houston, and that the price of admission to the show, on account of the stringency of the times, was eventually reduced to twenty-five cents. There is reason to believe that the monument was exhibited also at Galveston and perhaps other places in the Republic, to all of which, save Galveston, it was hauled in a cart, or wagon. We next hear of it in New Orleans, through the "Crescent" of March 28, 1851. The exhibition had not proved remunerative and the monument had been sold to pay charges of some sort and had for several years been lying among the rubbish of a marble yard. In a communication to the "Crescent" of the date above mentioned, Capt. R. M. Potter said, among other things: "Before closing, let me, however, express the earnest wish that steps be taken by those interested to restore this monument to the locality where it properly belongs, and which alone can invest it with the interest to which it is entitled by the names and events it commemorates. Though the government of Texas was too poor to purchase it in 1841, I have no doubt the needful amount could now be soon raised among the people of that State by subscription if the matter were properly brought to their attention."

Four years later this monument turned up in Texas again. The "Texas State Times" of December 8, 1855, chronicles its arrival in Austin thus: "This work of art, executed in commemoration of the fall of the Alamo, is now standing in the vestibule of the new capitol. * * * This monument should belong to Texas; it should stand at her capitol to remind all future generations of the services these patriots rendered their country in the dark hour of peril." Patriotic sentiment was quickened among the people, and the Legislature, in February, 1858, passed an act appropriating \$2500 for the purchase of the monument for the State—\$1500 for the then owners of the monument and the remainder to the widow and children of Nangle, the sculptor of the work. Then followed a period of sixteen years, covering the Civil War and reconstruction, during which the monument remained unnoticed. In 1874, however, the Democracy regained control of Texas and the Legislature,

¹ Col. Guy M. Bryan, nephew of Stephen F. Austin, told me in December, 1898, in Austin, that he had learned from Gen. Hugh McLeod that Gen. Thomas Jefferson Green was the author of the inscription. "Gen. McLeod informed me," said Col Bryan, "that the authorship of that inscription was freely discussed at a banquet in Galveston during the Republic, and that it was there stated without contradiction that Gen. Green dictated the words to Nangle."—C. W. R.

among many other beneficent acts, appropriated "two hundred dollars for the inscription of the names of those who fell at the Alamo on bronze plates, or other durable material, to be inserted for preservation in the Alamo monument in the portico of the capitol."

The list of the names on the monument had been in the main furnished to Nangle by Mr. Sutherland, a member of Congress of the Republic, and it was notoriously defective. To make up a true list of the Alamo dead Adjutant-General Wm. Steele had an extensive correspondence with eminent men thought to be well informed on the subject, such as ex-Governor Pease, W. P. Zuber, Rufus Grimes, Col. Frank W. Johnson, and Capt. Reuben M. Potter. Before any definite conclusion was reached as to what was a true list of the names of the heroes of the Alamo, the capitol building perished in the flames on November 9, 1881, and, with it, the precious little Alamo monument, excepting only the fragment with the sublime inscriptions referred to.

TEXAS INDEPENDENCE DAY.

The anniversary of March 2, 1836, the day upon which the declaration of Texas independence was issued to the world, is by law a legal holiday and is each year celebrated with patriotic enthusiasm throughout Texas.

The day falling upon Sunday in 1902, the exercises commemorating it were had on Monday, March 3d, in Austin and elsewhere in the State.

Perhaps the most interesting program was that observed at the University of Texas, including field, musical, and literary exercises.

The Lone Star flag was displayed from the dome of the capitol and from the main building of the University. As it was raised upon the latter building it was saluted by twenty-one guns, a brass cannon brought from the capitol grounds by a corps of students, being used for the purpose.

The proceedings in the auditorium were opened by prayer by Rev. J. A. French.

The address of the day (most scholarly and interesting) was delivered by Senator Joseph B. Dibrell, of Seguin. His subject was: "Some Thoughts Suggested by the Texas Declaration of Independence." In the course of his remarks he paid a just and eloquent tribute to the memory of Hon. Guy M. Bryan, who presided at similar exercises in the same hall a year previous and whom death had reunited with the Texans of other days with whom he labored for the greatness and happiness of the State.

The rostrum was beautifully decorated with palms and flowers, and on it in prominent positions were busts of Gens. Sam Houston and Stephen F. Austin.

Conspicuously emblazoned on the walls was the motto: "Texas One and Indivisible. March 2, 1836."

The musical selections were well rendered.

A large number of prominent men were present, among them ex-Governor Lubbock, who was honored with a cheer, in response to which he bowed graceful acknowledgments.

The anniversary was observed at the University Monday, March 2, 1903, with the usual honors. A cannon was brought from the capitol grounds, the student body marching behind it to martial music supplied by the University band, and with the Texas flag fluttering aloft above the column. The flag was raised at the University and saluted with twenty-one guns, Captain Sieker, from the Adjutant-General's office, superintending the firing and A. P. Stramler, J. P. Haven, D. A. Frank, and I. V. Duncan, students, serving as cannoneers.

Beginning at 11 a. m. an interesting program was observed in the auditorium.

Rev. Bradfield, pastor of the Tenth Street Methodist church, delivered the invocation.

Dr. William Lambdin Prather, president of the University, delivered a brief but interesting and elegant address.

Mr. Alex Weisberg read the declaration of independence, which was loudly cheered.

Miss Grace Prather rendered a vocal selection.

The band then played "Come to the Bower," the air to whose soft, lovesick, lackadaisical strains the Texans advanced to the charge on the field of San Jacinto. The music was greeted with cheers, that demonstrated that the present generation of Texans could, on occasion, maintain the dread fame of the Texas yell.

Speeches were delivered by Hon. W. A. Hanger, Hon. F. J. Duff, Hon. Yancey Lewis, and Mr. George S. Wright. Between the addresses the University Glee Club sang appropriate songs.

The occasion was also fittingly observed at St. Edward's College. The public schools were closed in honor of the day. Patriotic citizens of other Texas towns likewise celebrated the anniversary by appropriate exercises.

SAN JACINTO DAY.

San Jacinto day, April 21st, occupies first place among the legal holidays of Texas. It is commemorated generally throughout the State.

On that day in 1836 a band as gallant as ever dared the shock of battle destroyed all means of retreat, and, having resolved on victory or death, charged over the Mexican breastworks, slaughtered or captured the soldiers commanded by Santa Anna in person, bloodily avenged

the massacres at the Alamo and Goliad, and irrevocably made good the declaration of independence.

Business was practically suspended in Austin April 21, 1902.

The local fire department marched through the principal streets in the forenoon with trucks and reels decorated, horses gaily caparisoned, firemen in gala attire, fluttering banners, and bands playing inspiring music. At the close of the parade speechmaking was indulged in and the officers-elect of the department were presented with their commissions by Mayor R. E. White.

In the afternoon there was a firemen's picnic at Hyde Park, to which all were invited, and races at the driving park.

Waco is fairly entitled to the palm for the most notable celebration of the day in 1903, although it was fittingly observed in Austin (by the usual firemen's parade and picnic), in San Antonio by the observance of an elaborate and brilliant program, and in other cities.

For an account of the proceedings at Waco see articles entitled "Texas Veterans' Association," "Daughters of the Republic of Texas," and "Dedicatory Exercises at Baylor University," elsewhere in this volume.

At San Antonio business houses, public offices, and schools were closed, thousands of visitors from other cities were present, and the people devoted themselves to the pleasures of the day with an enthusiasm characteristic of the place.

A military parade occurred in the morning and was reviewed by Gen. Fred D. Grant.

Following the parade there was a competitive drill on Alamo plaza, in which the Governor's Cadets of Austin won the prize over several competitors.

In the afternoon there was a battle of flowers and a procession. A number of tableau floats was a feature of this parade. Mrs. General Grant and a number of beautiful ladies from the United States army post were in a handsomely decorated drag and were enthusiastically cheered along the entire line of march.

The festivities of the day were brought to a close by two brilliant balls at night, one given by the local chapter of the Daughters of the Republic of Texas, at Beethoven hall, and the other given by the San Jacinto Cotillion Club, at Turner hall.

TEXAS VETERANS' ASSOCIATION.

The Texas Veterans' Association held its twenty-ninth annual reunion at Lampasas, April 20 and 21, 1902. April 20, 1902, falling on Sunday, no business was transacted. The association, however, was called to order by the second vice-president, J. W. Winters, at 3 o'clock p. m., in the Methodist church, where memorial services were held, the pastor,

the Rev. O. P. Keifer, officiating as chaplain, assisted by Revs. Pruitt, Hunt, and Duncan.

The church was filled to its capacity. The services were opened with prayer and music.

The secretary reported the following members as having died since last meeting: Guy M. Bryan, president; Geo. W. Petty, first vice-president; T. C. Thompson, Jeffrey B. Hill, Wm. G. King, John Karner, W. P. Tindall, T. J. Hunter, W. N. Gentry, Mrs. Miles S. Bennett, Mrs. Jessie McCronklin, Mrs. Geo. M. Patrick, Mrs. J. M. Harbour, Mrs. Nathan Wade.

Orville Pinckney Keifer, acting as chaplain, delivered an address in which he reviewed the principal facts of Texas history from 1822 to the achievement of Texas independence, and eulogized the Texans of early days for having laid broad and deep the foundations of the commonwealth of Texas.

The president then stated that anyone who desired to make remarks would be heard, whereupon ex-Governor Lubbock, Hon. Stephen H. Darden, and W. P. Zuber paid tributes to various deceased members, Governor Lubbock closing his comments upon the life, services and death of Hon. Guy M. Bryan by reading a paragraph from the speech of State Senator Dibrell, relating to Colonel Bryan, and delivered in the auditorium of the University of Texas March 2, 1902.

The ceremonies were concluded with music and prayer.

April 21st the meeting was called to order by Second Vice-President J. W. Winters, with the following officers. Stephen H. Darden, secretary; F. R. Lubbock, assistant secretary and treasurer; J. W. Winters, second vice-president, and eighty-one members present. [More correctly speaking, the names of thirty-five men and forty-six ladies are recorded in the minutes as present, or having remitted dues.]

The report of Treasurer Lubbock was submitted and approved, after which he presented a number of printed articles on the death of Colonel Bryan that he requested permission to file with the secretary; it was granted by a unanimous vote.

A vote of thanks was extended to J. H. Wood for a donation to the association.

T. B. Howard, W. P. Zuber, and Miles S. Bennett were appointed a committee on resolutions.

Mr. Zuber submitted amendments to the constitution, the final consideration of which was postponed until the next annual meeting.

The following officers were elected: J. M. Hill, of Austin, president; J. W. Winters, of Bigfoot, and F. S. Sparks, of Rockport, vice-presidents; J. R. Fenn, of Houston, marshal; Stephen H. Darden, of Wharton, secretary, and F. R. Lubbock, assistant secretary and treasurer. [Colonel Darden dying subsequent to the reunion at Lampasas, ex-Governor Lubbock became the secretary.]

A communication from Hon. J. W. Riggan, mayor of Waco, inviting the association to hold its reunion in 1903 in that city, was read and the invitation accepted.

Letters from Mrs. Anson Jones, Mr. John Adriance, President J. M. Hill and Vice-President S. F. Sparks, regretting their inability to attend, were read.

The members were then, at 10:30 o'clock a. m., escorted in carriages to the picnic grounds, where the association was called to order and Mayor Acker delivered an address of welcome, which was responded to by Hon. Stephen H. Darden.

Upon the conclusion of the speaking the Veterans repaired to the beautiful park and partook of a most abundant and excellent repast.

The next annual meeting of the association was held in Waco, April 20 and 21, 1903. The exercises on the 20th opened with a joint meeting of the Texas Veterans, the Daughters of the Republic of Texas, and the Natives and Pioneers' organizations. The auditorium was beautifully decorated with Texas flags. Vases of blue bonnets, the flower of Texas, were on all the desks, placed there by Mesdames Lane, Orand, J. W. Weaver and other ladies. Mingled with the blue bonnets were white daisies and red roses, presenting the colors of the flag of Texas most beautifully.

Rev. Edward Temple, rector of the parish of St. Paul, acted as chaplain, opening the meeting with prayer.

"All the representatives proper of the senior organizations present," says a newspaper account, "did not constitute a numerous assembly, nevertheless the hall was crowded because of the many friends and relatives of the old people accompanying the venerable delegates."

"Because of the extreme age of some of the veterans occupying positions requiring talking, substitutes were supplied. Capt. J. D. Shaw, a Confederate veteran and chairman of the committee on arrangements, made most of the announcements.

"Mayor Sanford delivered the address of welcome, to which Gen. Felix H. Robertson responded on behalf of the Veterans' and other associations.

"Professor Byars, with a corps of musicians, furnished old-time airs.

"Mrs. Joseph B. Dibrell, of Seguin, was introduced by Mrs. Helen Branch Stone as the orator in behalf of the Daughters of the Republic of Texas. Mrs. Dibrell's address was heard with closest attention. Mrs. Dibrell is the daughter of John W. and Lucy Dancy."

"At the conclusion of Mrs. Dibrell's address Miss Ruby Garland, a native of Waco, sang 'Under the Shadow of the Alamo,' after which other associations retired and the joint meeting was over, each organization meeting again separately at the various places to which the committees had assigned them.

"The Texas Veterans' Association continued in session. Only three San Jacinto men were present out of fourteen who attended the meeting here ten years ago.

"Capt. Tom Martin, of Houston, one of the typical Texas veterans, now enfeebled by the 86 years he bears on his bended shoulders, was led to the stage by Tom Padgett. Captain Martin was followed up the

steps by Veteran S. F. Sparks of Rockport, the latter having one empty sleeve. Both these old soldiers fought under Gen. Sam Houston personally at San Jacinto.

"Gov. Frank R. Lubbock, secretary and treasurer of the Texas Veterans' Association, ascended the steps without assistance, took his seat at the desk and opened his books for business. He was as methodical as of old, when he was on Jefferson Davis' staff, or when he was the chief executive of the Lone Star State. His hand did not tremble when he pinned the decorations on the lapels of his comrades.

"Beside Governor Lubbock sat John W. Winters, an octogenarian, a resident of Frio County, also a San Jacinto veteran. It was Veteran Winters who designated the boundaries of San Jacinto battle field for the State park committee.

"Roll was called and the following veterans answered to their names: John Darlington, Taylor; J. R. Fenn, Houston; T. N. Gentry, Montgomery; J. C. C. Hill, Austin; J. P. Harrison, F. R. Lubbock, Austin; W. R. Leonard, Waco; Thomas Walton, Houston.

"Accompanying the veterans were the following ladies: Mrs. J. R. Bostick, Mrs. R. P. Bryce, Mrs. Anna Bryan, Mrs. Buck Barry, Mrs. Jackson Crouch, Mrs. M. A. Dyer, Mrs. J. H. Darden, Mrs. John Embree, Mrs. J. R. Fenn, Mrs. Rebecca J. Fisher, Mrs. T. N. Gentry, Mrs. Eveline Hogan, Mrs. Mary J. Holmes, Mrs. T. J. Hunter, Mrs. Nat Mitchell, Mrs. Maxwell May, Mrs. E. A. Ragsdale, Mrs. F. A. Tipples, Mrs. Alfred Wood, Mrs. N. C. Wright.

"The officers present were S. F. Sparks, first vice-president, presiding; J. W. Winters, second vice-president; F. R. Lubbock, secretary and treasurer, and J. R. Fenn, marshal.

"W. P. Zuber offered an amendment looking to governing admission of new members. It was lost by a strong majority.

"The report of the secretary and treasurer was adopted, together with other routine papers.

"Letters were read from absentees.

"On invitation of the commercial organizations and citizens generally of that city, Fort Worth was unanimously selected for the next annual meeting of the association.

"W. P. Zuber, S. P. Moore and J. R. Fenn were appointed a committee on credentials. In the course of his address, Chairman S. F. Sparks asked that he be buried on the battlefield of San Jacinto.

"Judge John H. Reagan arrived during the afternoon on the International & Great Northern and was escorted to the hall by Gen. Felix H. Robertson, Capt. J. D. Shaw and other Confederate veterans.

"Judge Reagan was warmly greeted by the old Texas heroes."

At night there was a memorial service at St. Paul's Episcopal church, conducted by Dr. Temple, in honor of the following members, who were reported as having died since the previous annual meeting: Siron R. Bostick, Isaac D. Parker, Jas. T. D. Wilson, Stephen H. Darden, Joel W. Bryan, J. B. Stone, Mrs. F. R. Lubbock, Mrs. R. C. Clements, and

Mrs. Mary J. Briscoe. Suitable addresses were made and resolutions adopted, Mrs. Rebecca J. Fisher, of Austin, speaking as follows on the death of Mrs. Lubbock:

"Beloved Veterans: We are here to-night to properly commemorate the loss of our departed dead, among whom was the wife of your distinguished and honored president.

"Mrs. Lubbock had been my personal friend nearly a score of years, and it was my privilege (at her request) to spend much time with her during the last few weeks of her illness, that I might soothe and comfort her by prayer and sympathy. For a year or more her friends realized that her health was failing and that her precious life was fast ebbing away.

"Mrs. Lubbock was a woman whom you had to know well to properly understand and appreciate. Her home was her delight, her earthly Eden, and her noble husband her pride and joy—around whom clustered the heart's purest and best affections. She was a woman of superior intellectual endowments and true Christian worth, ever exemplifying that sweet, trusting faith in her Heavenly Father, which adorns the true disciple of Christ; and it was through her religious example and influence that the Christian life of her noble husband was permanently established. Mrs. Lubbock was a true friend and kind neighbor. During her ill health she bore the sad change with heroic submission and humble resignation, always solicitous about the comfort and happiness of her faithful husband, who never wearied in tender, loving devotion.

"Mrs. Lubbock was an enthusiastic member of the Texas Veterans' Association and the Daughters of the Republic of Texas, always taking a deep interest in their deliberations.

"The sympathy of all Texas was extended to Governor Lubbock in his great sorrow. He is a man whom they all love and honor. May his valuable life be spared many, many years, and, at last, when time with him shall be no more, 'In that blessed world to come,' may he reap life everlasting. We all miss Mrs. Lubbock's wise counsel and sweet companionship; but we can not, dare not, wish her back, for she has passed over the river and is now basking in the sunlight of God's countenance, where she will dwell forevermore. 'Peace to her sacred dust.'

The following officers were elected for the ensuing year: J. M. Hill, president; S. F. Sparks, first vice-president; J. W. Winters, second vice-president; F. R. Lubbock, secretary and treasurer; J. R. Fenn, marshal.

On the 21st the veterans were given carriage and trolley car rides during the day and at 5 p. m. they and the Daughters of the Republic of Texas were seated in a row on Fifth street, facing the Padgett building, and from comfortable chairs viewed a grand San Jacinto parade, given in their honor and participated in by local military companies, civic societies, fire department, public school children, and citizens generally. The parade was under the command of Maj. H. P. Jordan and Gen. Felix H. Robertson.

The column was over half a mile long. The center section was com-

posed of school children. When they arrived in front of the seats they halted, faced right, and then, advancing to the sidewalk, heaped flowers and tiny Texas flags at the feet of the Veterans and Daughters, an act which the old soldiers and the ladies greatly appreciated.

All business houses were closed and the city was beautifully decorated. Earlier in the day appropriate exercises were held at Baylor University.

DAUGHTERS OF THE REPUBLIC OF TEXAS.

The twelfth annual meeting of the Daughters of the Republic of Texas convened in Maccabees' Temple, Waco, Texas, at 10:30 Monday morning, April 20, 1903, and was called to order by Mrs. Cornelia Branch Stone, third vice-president and acting president.

The Rev. E. A. Temple, rector of St. Paul's Episcopal church, invoked divine blessing upon the work of the society, after which Miss Garland sang, "Way Down Upon the Suwannee River."

Mrs. Stone read the following note:

"GALVESTON, Texas, April 19, 1903.

"Dear Mrs. Stone:

"Inclosed please find a gavel for the Daughters of the Republic of Texas, which I wish you would present to them in my name, and have it used at the meeting.

AGNES DAVIE GRIFFIN."

The handle is made of wood from the first capitol of the Republic, at Columbia, and the gavel of wood from historic live oaks, at the same place. These facts are stated on an engraved silver plate which encircles the gavel. Another plate on the gavel bears the inscription: "Presented to the D. R. T. by Agnes Davie Griffin, April 21, 1903."

Mrs. Griffin and the general secretary, Mrs. Charles H. Milby, were honored with a vote of thanks.

Mrs. M. S. R. Harrison, president of Sterling C. Robertson Chapter, of Waco, and a daughter of General Robertson, delivered the address of welcome, and was responded to by Mrs. J. B. Dibrell, of Seguin.

The secretary then read the annual address of the president, Mrs. Anson Jones, of Houston, widow of the last president of the Republic of Texas.

Mrs. Nettie Power Houston Bringhurst, youngest daughter of Gen. Sam Houston, was introduced to the association, and, pleading illness, made only a few appreciative remarks in acknowledgment of the courtesy. A pleasant feature of the incident was the presentation of a large and beautiful bouquet of flowers to Mrs. Bringhurst by the children of the North Fourth Street school of Waco.

Mrs. Rebecca J. Fisher, widow of a notable Texas veteran and pioneer

minister of the gospel, was introduced as one of the most prominent members of the organization.

The report of the secretary was read and on motion of Mrs. Fulmore, approved. Among other statements, it contained the following:

"It gives me great pleasure to announce the organization of a chapter at Gonzales. The enthusiastic patriotism that filled the hearts of those heroes of old that fired the first gun of the Texas Revolution has descended to the daughters who have formed themselves into a body and christened it Gonzales chapter, and desire to come into the general association in a body of forty members, the largest chapter at its birth yet recorded.

"There have been two resignations during the year; Mrs. M. A. Morrill, Dallas, Texas, and Miss Laura Brooks, Columbia, Texas. The Grim Reaper has been at work among us this year, and it is my sad duty to record the death of eight of our co-workers: Mrs. Julia Biddle Adams, Orange, N. J.; Mrs. Lucy A. Dancy, Austin, Texas; Mrs. F. R. Lubbock, Austin, Texas; Mrs. Ellen Kennison, Galveston, Texas; Mrs. H. M. Munger, Mexia, Texas; Mrs. Catherine Montgomery, Houston, Texas; Mrs. Mary J. Briscoe, Houston, Texas; Mrs. M. J. Leake, Temple, Texas."

The report of the treasurer, Miss Belle Fenn, of Houston, was read and, on motion of Mrs. Frank Raymond, approved.

Mrs. M. B. Urwitz, chairman of the executive committee, read the report of Mrs. Adele B. Looscan, historian general. The report showed a large number of articles written by the historian, some printed in the Quarterly of the Texas Historical Association and others in Texas newspapers and widely copied in other States; one on "Our Duty to the Old Missions," was supplied the chairman of the program committee of the Federation of Women's Clubs of Texas, and one entitled "A Tale of Two Texas Towns in 1835," was prepared at his request and sent to Hon. Geo. W. Tyler, president of the Old Settlers' Association of Bell County. Among much else of interest, Mrs. Looscan said in the report:

"The San Antonio school board being the first in the State to adopt a system of naming their schoolhouses in honor of our early Texas patriots, I agreed to write sketches of the lives of two of the signers of the declaration of independence, viz: Jose Antonio de Navarro and Andrew Briscoe. The first article prepared by me and read by J. S. Carr, vice-president of the school board, on April 3rd, the occasion being the dedication ceremonies of the addition to this school. It was published in the Express of April 5th. The life of Andrew Briscoe will be reframed and sent to the school bearing his name, by April 21st.

"* * * I have corresponded with J. S. and H. S. Wise, attorneys of New York City, in regard to an oil painting of David Crockett, now in their possession. It is the work of John G. Chapman, and is the original study, from which the portrait that adorned the hall of the old capitol at Austin was painted. This portrait should by all means be procured for the State, and hung in the Alamo."

The Twenty-eighth Legislature was given a rising vote of thanks for setting aside a room in the State capitol for the use of the Daughters of the Republic of Texas.

The chair upon seeing Hon. Carlos Bee, of San Antonio, in the audience, invited him to the dais and introduced him as the son of Hon. Hamilton P. Bee, "a worthy son of an honored father," whereupon he delivered a short address encouraging the Daughters to go forward in their chosen work.

Dr. Garrison, of the University of Texas, was also introduced, and delivered a few remarks explanatory of the work of the Historical Society of Texas, and inviting the Daughters to attend the annual meeting of the society to be held at Baylor University at 3 o'clock p. m., April 21.

Miss Belle Fenn, chairman of the music committee, submitted a report as to the award of the prize offered by President Prather of the University of Texas for the best poem on the Texas flag.

"There were 125 poems entered in the first contest, seventeen of which were set to music. The judges exercised their right to refuse to make any award. The contest was reopened for the words only. In this contest fifty poems were entered, and the award was made as shown by the following report:

" 'HOUSTON, Texas, September 12, 1902.

" Mrs. Chas. H. Milby, Harrisburg, Texas, Secretary of Daughters of Republic of Texas:

" Dear Madam: Your committee, to whom was assigned the duty of awarding the prize offered by the Hon. Wm. L. Prather, president University of Texas, for the best poem on the subject, 'The Texas Flag,' beg leave to report that a majority of the committee have decided in favor of poem signed 'States' Rights.'

" Respectfully submitted,

" 'MRS. WM. CHRISTIAN,

" 'MRS. J. J. MCKEEVER, JR.,

" 'C. W. WELCH.'

" The sealed envelope addressed 'States' Rights' was then opened, revealing the real name, Lee C. Harby, formerly of Texas, now living in Charleston, S. C.

" This poem was then published and sent to many composers of Texas and other States, to be set to music, and their manuscripts, seventeen in number, submitted to a board of judges. The following report tells the result:

" 'HOUSTON, Texas, April 17, 1903.

" Miss Belle Fenn, Chairman Music Committee, Daughters of the Republic of Texas:

" It is hereby declared that at the meeting to-day of the board of judges appointed to choose from among all the compositions entered in

the competition, the musical setting which seemed to them best suited to the words and sentiment of 'The Flag Song of Texas,' said board agreed upon the choice of the composition marked No. 12.

"MRS. A. J. F. PARKER,
"MRS. WILLE HUTCHESON,
"EMIL LINDBERG."

"It was then made known that No. 12 stood for the name of Mr. Aldridge B. Kidd, of Houston, Texas."

On motion of Mrs. Dibrell, the suggestion regarding the title page of the "Flag Song" was approved and a vote of thanks tendered Mr. Bernhardt Wall.

On motion of Mrs. Fulmore, a vote of thanks was tendered the five musicians of New York who entered the contest.

A report was submitted by Mrs. Dibrell, chairman of the Stephen F. Austin statue fund and the Austin and Houston statue committee, and approved. Mrs. Dibrell was honored with a vote of thanks for the work done. Interesting chapter reports were then read.

Mrs. McKeever, president of San Jacinto Chapter, in a few well chosen words, paid a tribute to the Hon. Pat Neff, speaker of the House of the Twenty-eighth Legislature, that was cheered to the echo. On her motion a vote was tendered the Legislature for the appointment of a committee of two members from the senate and three members from the house, that recommended the appropriation of \$30,000 for fencing and beautifying San Jacinto battlefield.

The report of the Little Patriot Society was read by Mrs. Dibrell, who asked that the association indorse the work of the said society, which was done, on motion of Miss Lane.

The Constitution was amended so as to change the age of eligibility for membership in the Daughters of the Republic of Texas organization from eighteen to fourteen years.

The suggestion that Texas might ever have other States carved out of its territory was the subject of an animated speech by Mrs. Milby, who voiced the general sentiment in favor of the State remaining for all time "one and indivisible."

Mrs. Weaver, in the course of a short speech, called attention to the indifference of teachers to Texas history. In the discussion that followed all expressed the opinion that more Texas history should be taught in the schools of the State.

Mr. Stansfield, president of the Association of Natives and Pioneers of the Republic of Texas, addressed the Society, and invited the Daughters to attend a business meeting of that organization at the rooms of the Business League, April 21.

The secretary of that association, Mr. C. A. Hotchkiss, read two letters, written with lead pencil, on the battlefield of San Jacinto immediately after the fight. They were written by Rinaldo Hotchkiss, a participant in the storming and capture of San Antonio, in the defeat of

the Mexicans at Concepcion, and the victory won at San Jacinto, and were presented to the daughters of the Republic of Texas by his son, the gentleman who read them.

On motion of Mrs. Urwitz they were accepted with thanks, the Daughters rising and giving the Chautauqua salute.

On motion of Mrs. McKeever the letters were delivered to Mrs. Fisher to be placed in a safe place in the capitol among the relics. She was also appointed a committee of one to inquire of the State Department what will be the status of such relics as may be deposited in the room in the State capitol set apart for the use of the Daughters of the Republic of Texas.

Dr. Wm. L. Prather favored the association with an address that was listened to with interest and appreciated for the sound counsel and words of commendation it contained, and the promise made to aid the Daughters in their work in every way he could.

It was resolved, on motion of Miss Fenn, that all funds realized from the sale of "The Flag Song of Texas" should be expended in securing and publishing good music relating to Texas for use in the public schools.

Mrs. Shindler, of Nacogdoches, in describing the status of the "Old Stone Fort" at that place, said that the Cum Concilio Club had undertaken the work of restoring the building, and asked the support of the D. R. T. looking to that end. She said the fort was erected in 1778 and was, consequently, 125 years old when torn down. [This statement is historically correct].

After the adoption of resolutions extending thanks to various persons the association adjourned to meet in Fort Worth with the Texas Veterans, April 20, 1904.

Memorial services were held at St. Paul's church with the Texas Veterans.

State officers of the Daughters of the Republic of Texas,¹ elected at Lampasas, Texas, April 19, 1902: President, Mrs. Anson Jones, Houston; first vice-president, _____; second vice-president, Mrs. Rebecca J. Fisher, Austin; third vice-president, Mrs. C. B. Stone, Galveston; fourth vice-president, Mrs. Kate S. Terrell, Dallas; fifth vice-president, Mrs. Walter Gresham, Galveston; historian general, Mrs. Adele B. Looscan, Houston; secretary, Mrs. Charles H. Milby, Harrisburg; assistant secretary, Mrs. Nellie Stedman Cox, Houston; treasurer, Miss Belle Fenn, Houston; executive committee, Mrs. Marie B. Urwitz, Houston, chairman; Mrs. Adele B. Looscan, Houston; Mrs. Cornelius B. Stone, Galveston; Mrs. Charles H. Milby, Harrisburg; Mrs. Walter Gresham, Galveston; Miss Adina de Zavala, San Antonio; Miss Bettie

¹ The officers, with the exception of the assistant secretary, are elected by the organization to serve for two years. The assistant secretary is elected by the Executive Committee to serve for two years. The members of the Executive Committee are elected for six years, but are divided into three classes, so that the terms of one third of the total number expire every two years.

Ballinger, Galveston; Mrs. Joseph B. Dibrell, Seguin; Mrs. W. E. Kendall, Houston.

Officers of Chapters—Sidney Sherman, No. 1, Galveston: Miss Betty Ballinger, president; Miss Belle S. Menard, secretary; Mrs. T. K. Thompson, treasurer. San Jacinto, No. 2, Houston: Mrs. J. J. McKeever, Jr., president; Mrs. Nelly S. Cox, secretary; Mrs. Charles H. Milby, treasurer. Wm. B. Travis, No. 3, Austin: Mrs. Rebecca J. Fisher, president; Mrs. Lizzie N. Throop, secretary; Mrs. Marie L. Graham, treasurer. Sam Houston, No. 4, Lampasas: Mrs. Tennie H. Hamilton, president; Mrs. Nannie H. Skinner, secretary and treasurer. De Zavala, No. 7, San Antonio: Miss Adina de Zavala, president; Miss Mary de Zavala, secretary; Mrs. Herbert A. Jones, treasurer. Ben Milam, No. 8, Temple: Mrs. Mary E. Gooch, president; Mrs. R. D. Field, secretary; Mrs. O. P. Gresham, treasurer. Sterling C. Robertson, No. 9, Waco: Mrs. Mary S. R. Harrison, president; Mrs. W. P. Beaumont, secretary and treasurer. Gonzales, No. 11, Gonzales: Mrs. Julia T. Miller, president; Mrs. Kate R. Menefee, secretary; Mrs. L. K. Dilworth, treasurer.²

TEXAS PRIZE POEM.

The Houston Daily Post of December 12, 1902, contained the following under the above heading:

"HOUSTON, Texas, December 11.—To the Editor of the Post: Through the patriotic and gracious gift of Hon. William L. Prather, president of the University of Texas, \$100 was placed at the disposal of the Daughters of the Republic of Texas some months ago, to be offered as a prize for the best patriotic, historical poem, subject, 'The Texas Flag,' suitable to be set to music and sung by the pupils of the public schools and students of the University of Texas.

"It may be known by many that it is the desire of the Daughters of the Republic of Texas that the 2d of March, the anniversary of the signing of the declaration of independence of Texas from the Republic of Mexico in the year 1836, be made a legal celebration day, when from every school and public building shall float the Lone Star flag in honor of that memorable event.

"President William L. Prather is also deeply interested in having this

² See elsewhere in this volume article entitled "Texas Veterans' Association" for a preliminary joint meeting held by the Texas Veterans, Daughters of the Republic of Texas, and Natives and Pioneers of the Republic of Texas, and, also, for the part taken by the Daughters of the Republic of Texas in the elaborate San Jacinto Day celebration in Waco April 21. See article entitled "Dedicatory Exercises at Baylor University," as the Daughters of the Republic of Texas were present and participated therein.

day celebrated in the schools, and 'to aid the Daughters of the Republic of Texas to inculcate the spirit of patriotism in the youth of Texas and to teach them the obligation they owe to the State which educates them,' made this magnificent offer.

"After long and conscientious examination of the poems and in absolute ignorance of the real names of the contestants, it was decided that the one signed by the fictitious name 'States' Right' more nearly complied with the requirements and it was awarded the prize by the majority of judges. The accompanying sealed envelope revealed the real name of the talented writer, Mrs. Lee C. Harby, formerly a Texan, but now living in Charleston, S. C.

"It is gratifying to the Daughters of the Republic of Texas, and should be to all loyal Texans, that so much interest has been taken in this contest. Many of the poems have great merit and ring with patriotic sentiment, but from the length of meter or difficult phraseology were not deemed so adaptable to music. Under the terms of the contest the 'poems entered for the prize became the property of the Daughters of the Republic of Texas,' and as soon as expedient these loyal tributes to the illustrious past of Texas will be given to the public.

"The poem has been copyrighted and is ready for the music. No prize is offered for this, but the Daughters of the Republic of Texas will compensate the composer who sends to the chairman on or before February 15, 1903, the most rhythmical, soul-stirring musical setting.

"This song will be sung by thousands of voices almost daily and will be the means of spreading musical culture—already recognized as a great factor in civilization, surely an honor and a glorious tribute to any composer.

BELLE FENN,

Chairman Committee on Music, Daughters of the Republic of Texas."

FLAG SONG OF TEXAS.

(Copyrighted.)

[Dedicated to Hon. William L. Prather, President of the University of Texas.]

Oh! Prairie breeze blow sweet and pure,
And Southern Sun shine bright
To bless our Flag, where'er may gleam
Its single star of light;
But should thy sky grow dark with wrath,
The tempest burst and rave,
It still shall float undauntedly—
The standard of the brave!

CHORUS.

Flag of our State, Oh! glorious Flag!
Unsullied in peace, and triumphant in war;
Heroes have fought for you,
Statesmen have wrought for you—
Emblazoned in glory you bear the Lone Star.

By deeds of arms our land was won,
 And priceless the reward!
 Brave Milam died and Fannin fell
 Her sacred rights to guard;
 Our patriot force, with mighty will
 Triumphant set her free
 And Travis, Bowie, Crockett gave
 Their lives for liberty!

CHORUS.

Flag of our State, Oh! glorious Flag!
 Unsullied in peace, and triumphant in war;
 Heroes have fought for you,
 Statesmen have wrought for you—
 Emblazoned in glory you bear the Lone Star!

And when on San Jacinto's plain
 The Texians heard the cry,
 "Remember, men, the Alamo!"
 They swore to win or die;
 Resistless in their high resolve,
 They forced the foe to yield,
 And freedom crowned the victory gained
 On that illustrious field!

CHORUS.

Flag of our State, Oh! glorious Flag!
 Unsullied in peace, and triumphant in war;
 Heroes have fought for you,
 Statesmen have wrought for you—
 Emblazoned in glory you bear the Lone Star!

Oh! Texas, tell the story o'er,
 With pride recall each name,
 And teach your sons to emulate
 Their virtues and their fame;
 So shall your grandeur still increase,
 Your glory shine afar—
 For deathless honor guards the Flag
 Where gleams the proud Lone Star!

CHORUS.

Flag of our State, Oh! glorious Flag!
 Unsullied in peace, and triumphant in war;
 Heroes have fought for you,
 Statesmen have wrought for you—
 Emblazoned in glory you bear the Lone Star!

LEE C. HARBY.

THE TEXAS FLAG.

[Dedicated to the Twenty-eighth Senate of Texas.]

Flag of a great State, unfurl thy folds and float
 Over people free even as her winds are free.
 Wherever beats a Texan heart, thou shalt recall
 The crimson morning of our liberty,
 When, 'mid the carnage of the battlefield, blazed forth
 From Texan valor which no force could stem,
 The shining star which crowns with beauty rare
 And lights with ray serene our Nation's diadem.

The red upon thy folds, dear Flag, recalls to loving hearts
 The blood that flowed from Texan veins within the Alamo;
 The gory field of Goliad, immortal Fannin's death;
 Wherever our Heroes met with the lurking foe—
 Brings back the echo of that ringing battle-cry
 When, breast to breast, and flashing knife to knife,
 To craven horde on San Jacinto's plain
 They dealt sure death-blows 'mid the reeling strife.

And in thy blue we see the incense-smoke
 From Freedom's shrine, to skies that soft bend down
 Over vast prairies, mountains, vales and streams,
 Over many a city fair, o'er busy mart and town—
 One mighty heart pulsates from shore to shore;
 One patriot glory e'er broodeth over this sod,
 On whose soft bosom Heroes nameless sleep,
 Their requiem ever chanted by the winds of God.

And the Peace Angel brushed thee with her wing
 And left thy white a token near and far,
 But dearer yet than red or white or blue,
 With leaping heart we greet our emblem, The Lone Star.
 God help us ever guard secure the sacred trust
 Bequeathed by patriot sires, whatever betide,
 That one and undivided this great State shall be
 A Texan's birthright and a Nation's pride.

LAURA V. GRINNAN.

NATIVES AND PIONEERS OF THE REPUBLIC OF TEXAS.

This association was organized at Dallas September 30, 1902, and held its second annual meeting at Waco April 20-21, 1903. Persons of either sex are entitled to membership, provided they were in Texas prior to annexation.

The principal object in view is to collect and preserve data that will be of service to the future Texas historian.

A constitution and by-laws were adopted at Waco and the following officers re-elected to serve during the following year: Thomas L. Stanfield, of Terrell, president; John W. Stevens, of Hillsboro, first vice-president; Sam J. Wright, of Paris, second vice-president; Ben McCulloch, of Austin, third vice-president, and C. A. Hotchkiss, of Dallas, secretary and treasurer.

Judge John H. Reagan and ex-Gov. F. R. Lubbock were elected honorary members for life.

Mrs. J. J. McKeever, Jr., of Houston, president of San Jacinto Chapter, Daughters of the Republic of Texas, explained the work done for the preservation of the San Jacinto battle ground with its historic landmarks, and read the following telegram sent her by Hon. Geo. B. Griggs, representative from Harris County in the Texas Legislature: "The battle ground item has been adopted for \$20,000. Accept my congratulations."

The association passed a resolution indorsing the work of the chapter. President Stanfield, First Vice-President Stevens, and Secretary and Treasurer Hotchkiss were appointed a committee on Texas history.

The association selected Fort Worth as its next place of meeting and will hold its sessions there April 20-21, 1904.

UNVEILING OF THE STATUES OF GEN. STEPHEN F. AUSTIN AND GEN. SAM HOUSTON IN THE STATE CAPITOL

The Twenty-fifth Legislature gave to the Daughters of the Republic of Texas the privilege of filling with a statue of Stephen F. Austin one of the two spaces in Statuary Hall, in the national capitol at Washington, D. C.

Having decided to undertake to raise by private subscription the money for this statue, Marie Bennett Urwitz, chairman; Adele Briscoe Looscan, secretary, and Maggie Tod Milby, Belle Sherman Kendall, Minnie Phelps Vasmer (proxy) and Mary J. Briscoe (proxy), members of the Executive Committee of the Daughters of the Republic, addressed a memorial to the Twenty-seventh Legislature asking that body to declare that the remaining space should be filled with a statue of Gen. Sam Houston and to make an appropriation for that purpose.

The memorial was presented to the State Senate September 10, 1901, by Senator Davidson of Galveston, and the same day Senators Dibrell and Patterson introduced a concurrent resolution providing that the statue of Gen. Sam Houston should occupy the remaining space, if any appropriation was subsequently made by the Legislature for the purpose. The resolution was adopted. The general appropriation bill approved October 2, 1901, authorized the Governor to contract with Miss Elisabet Ney for the execution of the statue of General Houston for \$5000.

The contract for both statues was accorded her.

Part of the labor was performed by her at her studio at her home at Hyde Park, in North Austin, and the remainder in Germany.

The statues having been ready for delivery and accepted by the Daughters of the Republic committee, were placed, during the first week in January, 1903, in the lobby on the first floor of the capitol (that of Austin to the east and that of Houston to the west of the arched entrance to the rotunda, and facing the main south entrance to the building), covered with white sheeting, and surrounded by low gilt railings.

In the Senate of the Twenty-eighth Legislature, January 14, 1902, Senator Stafford presented the following petition, with the request that it be published in full in the Journal:

"To the Twenty-eighth Legislature of the State of Texas:

"Whereas, in compliance with the act of a previous Legislature, the statues of General Sam Houston and Stephen F. Austin, modeled and executed in marble by the gifted and renowned sculptress, Elisabet Ney, stand now in our great Capitol; and

"Whereas, appropriate ceremonies will be inaugurated by the Legislature to have said statues unveiled; and

"Whereas, the patronage of art, and doing the mite of honor to the heroes of our early history, were in part the result of the patriotism of our honored Governor, Joseph D. Sayers; and

"Whereas, the Daughters of the Republic of Texas, an organization composed of widows and descendants of those who served the Republic of Texas in a military or civil way, ever alive to doing honor to the memory of those who fought and contributed their lives and labor to their country's good, and feeling also a deep interest in the maintenance of true art, and having petitioned the previous Legislature which so graciously made the appropriation for said statues, and made their execution possible;

"Now, the said Daughters of the Republic of Texas, with the utmost deference and respect, beg leave to suggest and recommend to your honorable body, in connection with the unveiling of said statues, the following:

"1. That the unveiling ceremonies take place before Governor Joseph D. Sayers goes out of office—the 19th of January being suggested, if agreeable to your honorable body.

"2. That Governor Sayers be selected to make the oration accepting said statues on the part of the State, and that he be empowered to select such persons as he may deem suitable to unveil said statues.

"3. That the Daughters of the Republic of Texas, through Mrs. Cornelia Branch Stone, of Galveston, Texas, be permitted to thank the Legislature and those who aided in the noble work of contributing to the memory of two of our greatest dead.

"In making these suggestions and recommendations, the Daughters of the Republic do so as a part of the citizenship of our State, among whom we are proud to number the surviving widow of a president of the republic, descendants and kinsmen of General Houston and Stephen F. Austin, and of hundreds of others connected by ties of blood and memories of strife and sacrifice with those who filled the ranks of the privates.

Respectfully,

"DAUGHTERS OF THE REPUBLIC OF TEXAS,

"By Mrs. Anson Jones, president; Mrs. Mary J. Briscoe, first vice-president; Mrs. Rebecca J. Fisher, second vice-president; Mrs. C. B. Stone, third vice-president; Mrs. Kate S. Terrell, fourth vice-president; Mrs. Walter Gresham, fifth vice-president; Mrs. Adele B. Looscan, historian; Mrs. Charles H. Milby, secretary; Mrs. Nellie Stedman Cox, assistant secretary; Miss Belle Fenn, treasurer.

"Mrs. Mary B. Urwitz, chairman; Mrs. Adele B. Looscan, Mrs. Cor-

nelia Branch Stone, Mrs. Charles H. Milby, Mrs. Walter Gresham, Miss Adina De Zavala, Miss Bettie Ballinger, Mrs. Joseph B. Dibrell, Mrs. W. E. Kendall, executive committee.

"Mrs. J. B. Dibrell, chairman Austin and Houston statue committee."

Messrs. Weinert, Murray of Wilson, and Griggs introduced a concurrent resolution in the House, January 15, providing for the unveiling ceremonies, and Senator Stafford introduced a similar resolution in the Senate, January 16. The House resolution having been passed by that body was presented to the Senate January 16, and adopted, Senator Stafford withdrawing his resolution for the purpose.

The petition was granted by concurrent resolution.

In response, Gov. Sayers sent the following message:

"To the Legislature: Acknowledging the receipt of the concurrent resolution relative to the unveiling of the statues of General Sam Houston and Stephen F. Austin, I have to respectfully invite and request the Senate and House of Representatives to be present at and participate in such ceremonies, which are to take place upon the lower floor of the capitol at 8 o'clock p. m. on Monday, the 19th inst.

"JOSEPH D. SAYERS, Governor."

In the House, January 17, 1903, Mr. Murray, of Wilson, offered the following resolution, which was adopted:

"Be it resolved by the House of Representatives, That the invitation of Gov. Sayers to the House, requesting their presence at 8 o'clock p. m. on Monday next, to attend the unveiling of the statues of Houston and Austin, be and the same is hereby accepted."

The unveiling ceremonies occurred under the auspices of the Daughters of the Republic in the presence of the Governor, other State officers and members of the Legislature, and a large and representative gathering of gentlemen and ladies.

The following is condensed from the official report made to the Daughters of the Republic at their next annual meeting:

"* * * * at the time appointed (eight p. m.) the visiting Daughters were most graciously received in the Governor's reception room in the Capitol by Mrs. Rebecca J. Fisher and the members of Wm. B. Travis Chapter, it having been previously determined that all arrangements for the occasion should be in the hands of these patriotic and zealous ladies. From the reception room, preceded by Gov. Lubbock and Judge Tod, the Daughters of the Republic passed down the long corridor and the grand staircase two by two, bands of music playing national airs. As this procession entered the hall the sight was an imposing one—a sea of faces upturned to the two silent, draped figures, awaiting their final revealment.

"Ascending the platform arranged for her beside the statute of Gen. S. F. Austin, Mrs. Joseph B. Dibrell was introduced by General Scurry, and in a well modulated and distinct voice, said:

"*To His Excellency the Governor of Texas, Ladies and Gentlemen:*

"To recount the deeds of valor of these two heroes is neither my duty nor my office. That pleasure falls to the lot of others.

"In the name of the Twenty-eighth Legislature, with a heart filled with pride and patriotism, I come to present to the citizens of Texas the life-size marble statues of Stephen F. Austin, the Father of Texas, and General Sam Houston, the hero of San Jacinto, the liberator of the young Republic. * * *

"At the conclusion of her remarks she touched the cord confining the drapery, a moment of silent admiration seemed to fall upon the multitude as the matchless marble figure of the 'Father of Texas' gleamed in its full poetic and historic symbolism beneath the hundreds of electric lights, then cheer after cheer rang through the hall.

"Following this presentation the University Glee Club sang 'My Country, 'Tis of Thee,' in which many voices from the audience joined.

"During the singing of this piece Mrs. Dibrell passed through the crowd, behind the pillars to the platform beside the statue of General Houston, then calling to her side the little grandson and namesake of the General, Sam Houston Hearne, she assisted him to loosen the folds concealing the figure, and lo! the hero of San Jacinto, in all his manly proportions was disclosed, instantly impressing the beholder with a sense of the wonderful magnetism of this great man. Amid cheers which almost drowned the music Besserer's Band played 'Will You Come to the Bower?' that immortal melody of San Jacinto.

"Following this was the able, forceful speech of Gov. Sayers, who had been escorted to a dais in the middle of the hall, and who, in his most felicitous manner, receiving the statues for the State, thus spoke:

"This is a great moment in the history of this great commonwealth, and in behalf of the State of Texas it is my proud duty to accept these statues of pure marble, executed by one of the famous artists of the day—Elisabet Ney. The people of Texas today are enjoying the fruits resulting from the efforts, the genius, the courage, and the self-sacrifice of these leaders of the Republic. In toil, in blood and privation, they and their few compatriots wrested this grand empire State from the wilderness, the savage and the ruthless hordes of Santa Anna, and founded a nation! It well becomes us to revere their memories and hold them in the sacred keeping of our hearts."

"(The compiling committee regrets exceedingly that it has been unable to obtain the full text, or even a synopsis of the speech of the Governor.)

"Mrs. C. B. Stone, standing beside the Governor, then delivered an eloquent address."

She said that after the declaration of independence at Washington, March 2, 1836, there "followed in rapid succession a glorious panorama of historical events: the defense and fall of the Alamo; the surrender of Fannin and massacre of 385 patriots; the decisive victory of San Jacinto; the annihilation of the Mexican army, and the self-styled

'Napoleon of the West,' a prisoner, pleading for mercy, where death would have been but retributive justice, and mercy he had no right to demand, and little reason to expect." She said: "Can the pages of the world's history show fifty consecutive days of more brilliant achievement, more far-reaching results?

"No! These were only surpassed by the victories of peace, the rapid organization of a government—the Republic of Texas—with a constitution and code of laws that still command the respect and admiration of statesmen, for statesmen framed it and maintained it without revenue or resources, giving to its service their all, holding no sacrifice too great, that this infant Republic might live. Foreign nations recognized it, and not only received its ambassadors, but upon one, Dr. Ashbel Smith, the French Government conferred the high distinction of a membership in the Academy of Arts and Sciences, as a just tribute to his scholarly attainments. * * * To us, the lineal descendants of those who wrought so well, this is a momentous occasion. * * *

"How well these builded is written in letters of gold on the pages of our history; and ample testimony to the truth of this record is had in the present development of our State and the vast possibilities of her future, for if her sons protect her territory from the hand of the self-seeking politician, preserving her great area 'one and undividable,' no human mind can conceive of the future destiny of Texas. All through this growth and greatness the names of Austin and Houston will go ringing down the centuries; the one, the forerunner, and the other, the achiever and director."

THE ART EVENT OF THE YEAR IN TEXAS.

BY BRIDE NEILL TAYLOR.

The art event of the year in Texas was the unveiling of the statues of Stephen F. Austin and Sam Houston in the State capitol on the evening of January 19, 1903.

These two statues now form the most treasured art possessions of the State, and it is hoped that they are but the nucleus of what will become some day a great public collection illustrating the lives and deeds of the makers of Texas for the education and inspiration of all future Texans.

Seldom, indeed, has an artist succeeded so completely in expressing the spirit of a time and character of an epoch-making man as has Elisabet Ney in each of these two beautiful and powerful works. The two statues typify the two chief eras in the history of the foundation of the State, and are not only great effigies of the men they stand for, but more important still, they seem to breathe forth, in addition to the character of Austin and the character of Houston, the characters

and the aspirations of the men who followed these two leaders, and made their achievements possible, and even the very atmosphere of the time which was after all the primal inspiration of the entire story of our glorious beginnings. The statue of Austin may be said to typify colonial Texas as well as to represent Stephen F. Austin, the immediate cause of colonial Texas. It represents a man in the prime of early manhood, dressed in the picturesque and characteristic buckskin of the day, standing in an attitude of deep contemplation. His rifle rests idly in the hollow of his relaxed arm, his powderhorn is slung upon the stump of tree behind him, while in his hands he holds a map of his infant colony. The figure is one of extreme grace and lifelike reality; the face and head are noble and intellectual in a high degree, and the entire composition reveals with a great insight that singular combination of qualities which makes Austin almost unique in the history of the builders of States. Whether he looks for it or not the beholder is forced to see that here is represented not only the brave pioneer, but also the diplomatic framer of events, the guiding spirit of rude men, the far-seeing, cautious statesman,—in a word, the civilizer. The moral of the work seems to be: Never before was a man more ideally suited to the work he had to do. Only he could have done it just there and then. He was the man for the hour.

The statue of Houston is in every respect the antithesis of that of Austin. It brings out the great foundation difference in the men and in their peculiar works. Austin had to think before either man—himself included—could act. Houston had to do, because other men had thought. The Houston statue typifies the Republic of Texas as ideally as the Austin statue does the colony of Texas. It breathes the spirit of the aggressive day of San Jacinto. It is Action as the other is Thought. The artist has seized the striking contrasts in the characters of the two men and of their epochs with the penetration of true genius, and has brought them out with a power and skill equal to the keenness of the conception. Houston is represented at that period of his life when, still in the flower of his manly beauty, and overflowing with a confident sense of his own power, he came out of the great mysterious wilderness to render himself and Texas imperishable at one stroke. It is a moment which appeals to the poetic and the dramatic sense of every human soul, and gives a great artist the great opportunity which brings out his best. Houston, like Austin, is garbed in the pioneer buckskin dress which so perfectly typifies the free and unconventional life of those days, but his famous Indian blanket trails out from his shoulder behind him, while the sword at his side speaks eloquently of San Jacinto. He stands in the attitude of an orator at that inspired moment so thrilling to an audience when he is just about to burst forth into the opening words of what the beholder feels is to be one of those powerful speeches by which this peculiarly endowed man was wont to mould men to his will, and to make followers of all who listened. The whole figure is the embodiment of aggressive action, as ideally as that

of Austin is the equally historic embodiment of constructive thought. In these two statues we have the whole history of the foundation of Texas wrought out with truth and beauty and a wide comprehensiveness, so perfect that he who runs may read, and neither the hurried tourist nor the unthinking school child can pass through the thoroughfare of the great capitol of Texas without carrying away with him a memory of those statues standing by the way, which, as he dwells upon it in after hours, must reveal the spirit of the history of Texas more powerfully than pages of printing could do. Thus has the story of Texas been successfully and satisfactorily begun in the State house. It is but natural to hope and believe, as Governor Sayers said on the night of the unveiling, that as time goes on the entire story will be gradually told here by the sculptor's chisel, and the painter's brush, until this magnificent building shall in time become the real embodiment of the history of Texas.

"LIFE'S EVENING."

To Mrs. Rebecca J. Fisher, Austin, Texas, by her devoted friend, Lillie Terrell Shaver.¹

O beautiful life! whose halo encircles
The purple and gold embrightening the sky
That lowers upon its shadowy evening,
Where etchings aesthetic in harmony lie.

The soul light glanced first in those beauteous eyes,
In the far-famed "City of Brotherly Love,"
Where liberty's champion in majesty rose,
And awakened the echoes still ringing above.

Thy young life, imbued with visions so rare,
Grew strong and courageous in Liberty's air.
And thy days seemed to fit like some angel's lost dream,
In its Paradise beauty, where star-tapers gleam.

But those visions most worshiped in morning's young light
Thou wert destined to weep o'er in silence at night.
Bereft of thy loved ones in life's early morn,
On the broad sunny plains, 'mid pioneer storms.

How deep was the anguish impressed on thy face,
The time thou last felt a mother's embrace,
And heard her heart-wailings most frantic and wild—
"God bless and protect thee, my own precious child!"

Years passed; with their burdens of sorrow and care,
And carved for thy forehead a diadem fair.
Like Lebanon cedars through storms growing strong,
Thy spirit waxed great through discipline long.

In the far distant west where the sea surges roll
And dash their wild spray into beauty's rich scroll,
Thy hands helped to carry the message of love
To the hardy frontiersmen, from Jesus above;

¹This beautiful and well-merited tribute is with pleasure given a place in the Year Book.

And planted the vine in that sin-beaten soil,
 That has mantled those weather-stained temples of toil.
 Like a swift gliding meteor or fast-falling star,
 That influence for Christ touched hearts near and far.

Then back from the snow-created Rockies' embrace
 To Texas, loved Texas, thy footsteps retrace.
 There to take up the burdens and struggles of life,
 And lend a strong hand in the battle's fierce strife.

Where the poor and the suffering, the wretched and low,
 Needed friends to assist and courage bestow,
 There first in the van thy footsteps were found,
 With hands ever ready and counsel so sound.

The Church, in its beautiful gospel of light,
 Beholds in thy life a guiding-star bright.
 But the rock thou hast quarried with cleverest skill
 And carved into statue more glorious still,

Is thy labor of love, so unselfish and rare,
 To preserve to the Texans their heritage fair.
 The Daughters of Texas Republic bestow
 Their trusting affection, and with honors endow.
 Loved President, long may the years' gentle length
 Leave thee to us in thy beauteous strength.
 And when thou must pass thro' the darkness and gloom,
 To the land where affection is ever in bloom,
 May the love thou hast merited gladden thy breast
 And weave a bright rainbow of hope for thy rest.

Durant, I. T., December 25, 1902.

LORENZO DE ZAVALA.

(A FREE TRANSLATION FROM SOSA.)

A distinguished publicist and statesman of no little celebrity, D. Lorenzo de Zavala is one of those personages whose enemies confess his superiority and talent. As a statesman Zavala committed errors for which we do not pretend to excuse him, and if it was allowed the author to write his biography without alluding to his public life, we would make one of fine merit. Strict and impartial history places Zavala in the place where he belongs; we have nothing to do but to briefly relate his acts.

Don Lorenzo de Zavala was born in the city of Merida, capital of the State of Yucatan, on the 3d day of October, 1788. His ancestors were Don Anastasio de Zavala and Dona Maria Barbara Saenz, both of distinguished families.

Lorenzo de Zavala was educated for the priesthood in the seminary of San Ildefonso, in the city of Merida. Don Diego O'Horan was his instructor in Latin and contributed not a little towards imparting to his pupil his high intelligence, his freedom of spirit, and his ardent character. Zavala studied philosophy in the memorable seat of Don

Pablo Moreno, the first advocate of civil and religious liberty in the peninsula of Yucatan, and he afterwards became the most illustrious disciple of that great political philosopher. It is told of Zavala that on one occasion, when refusing his assent to some abstruse matter of theology, his astonished examiners asked him: "Do you deny the authority of Saint Thomas?" To which he responded: "Why not? Saint Thomas was a man like you and me and liable to err." Under parental pressure the young student continued his theological course till its completion in 1807, but it was easy to see that a man of such independence of thought could not bear official dictation and restraint and that he was, therefore, unfit for an ecclesiastic. Going to the City of Mexico to make his fortune, he found employment there for a short time.

The Mexican revolution breaking out with great violence, Zavala hastened home to direct with great eclat the liberal movement in Yucatan. The first periodical published in Yucatan owed its existence in this period to Zavala. The liberal party was overthrown in 1814 and Zavala was confined in the fortress of San Juan de Ulloa until 1817. In this prison he learned medicine and English, which afterwards served him a good turn. Returning to Yucatan in 1820, Zavala was elected deputy to the Spanish Cortes. The efforts that he made at Madrid, Paris and London for the recognition of the independence of Mexico, gained for him the fame of an eminent statesman.

Returning from Europe early in 1822, Zavala was chosen deputy to the first Mexican National Congress. From this dates the wonderful political career of Zavala. In the tumultuous debates of this assembly he gained great renown as an orator. The National Congress having been summarily dissolved, the Junta Constituyente was substituted, and Zavala, together with Milaflores, represented Yucatan. "The national tribune in those days reverberated with the eloquence of Don Lorenzo de Zavala," says Sierra. After the fall of Iturbide the nation was divided into two parties, one Centralists and the other Federalists. Zavala attached himself to the second and wrote luminous articles for the "Aguila Mexicana," the first newspaper that advocated the principles of a true federation. In nearly all the departments the Federalist party triumphed, and Yucatan declared herself free and then the other States. Zavala was again chosen deputy, together with other famous Yucatecans. How brilliant was then the career of Zavala in the parliamentary chamber! It would be necessary in describing this epoch of our history to refer to all his acts. He signed, as president of the Constituent Congress, the Federal Constitution of 1824 for the United Mexican States. Yucatan, valuing more and more the eminent service this distinguished son owed her, elected him on the 26th of October, 1824, senator to the first Constitutional Congress, on the duties of which he entered in January, 1825. When the rival Masonic Lodges, the Yorkinas and the Escocesas, sprang up, Zavala affiliated with the Yorkinas, as they were republican in politics. This period in the life of our compatriot was a stormy one. Those who wish for further information on the subject

should read his book entitled "Ensayo Historico de las Revoluciones de Mexico."

Zavala was next elected governor of the State of Mexico, and he began his official duties in March, 1827. At that time was discussed the expulsion of the Spaniards from the country by violence. He opposed this policy with energy, to the disgust of his party friends and the bewilderment of his enemies. Such is the blindness of party passion! The fame of Zavala continued to increase. The Legislature of Mexico named him for vice-president of the Republic. But when did party hate fail to exercise its atrocious dominion over the lives of great personages? Circumstances too tedious to narrate caused Zavala to abandon the capital as a fugitive. Then incurred the insurrection of Acordada, an event which he afterwards reprobated in his "Ensayo Historico," in spite of his participation in it. The triumph of Acordada elevated Gen. Guerrero into the supreme power, and Zavala was in 1829 appointed secretary of the treasury. In November of the same year he was commissioned to go to Yucatan to make friends of the partisans of Centralism. Arriving at Sisal he re-embarked for clear and definite orders.

He returned to Vera Cruz and then learned the dangerous state of affairs in Mexico and the risk to his person if he remained in the country. Zavala then made a journey through the United States and afterwards resided in Paris. He there perfected himself in many branches of knowledge and became a truly learned man.

On his arrival at New Orleans he published a pamphlet on the condition of the Mexican Republic, and while there took time to see everything notable and worthy of examination. He then embarked for England and Scotland. Soon afterwards he visited Holland, Belgium, some parts of Germany, Switzerland and Italy, and settled down in Paris, making there many acquaintances and receiving numerous proofs of esteem from various societies and literary bodies. Zavala wrote in Paris at the close of the year 1831 his "Ensayo Historico." * * * In 1832 the condition of the Republic having been changed, Zavala returned from Europe and re-established himself in the government of Mexico. He used influence with the existing administration and submitted many plans of useful reforms. Yucatan, in 1833, elected Zavala for the sixth time her representative in the National Congress. The triumphs of Zavala in this last period of his parliamentary labors are found published in the newspapers of that time. Now a man mature and of a large and profound experience, he spoke without hate or bitterness; he pitied the frenzy of his party friends; he despised the attacks of his enemies, and showed that superiority and grandeur of soul which years alone could give with a consciousness of good deeds and a talent cultivated in the school of the world. The envious seemed miserable pygmies by his side, weakly opposing what irritated them.

Zavala desired progress, light, and all the social improvements to which the Mexican Nation had a right to aspire. To this all his inclinations and plans pointed.

In the life of this celebrated Yucatecan one act does him much honor. Zavala was in the government service in Mexico when that fearful epidemic, at the remembrance of which one now shudders, the cholera, was raging. The city of Toluca, the residence at that time of the supreme authorities of the State, experienced the philanthropic influence of the Governor, who personally assisted the suffering, aiding the poor and weak with his purse and his knowledge of medicine. He desired to help without prejudice wherever he was called, giving his special service in one of the lazaretos which he had ordered established for those attacked by the plague. In those days of fear and consternation Zavala forgot self entirely and the civil war which had again arisen in the unfortunate Republic, and thought only of succoring the afflicted. In memory of this event one of the principal streets of Toluca bears the name of Zavala. Late in the year 1833 Zavala set out to Paris as minister plenipotentiary at the court of King Louis Philippe. * * * While in Paris he wrote his magnificent work, entitled "Viaje a los Estados Unidos." It is a most valuable book, says D. Justo Sierra, worthy to be read and meditated upon by all those who desire for their country the best social conditions of which it is susceptible. It is a book of philosophy, full of profound reflections and brilliant political truths." Zavala was still in Paris when he heard the news of the unhappy course of events in Mexico. He resigned his office as minister in a communication which is to his everlasting honor. This was the last act of Zavala as a Mexican official.

Says Sierra: "Lorenzo de Zavala found himself in the State of Texas, in 1835, which, on the plea of the rupture of the federal compact, rose in arms against the existing government. Zavala was owner of lands in that State and for that reason, as well as to re-establish the Constitution of 1824, declared himself openly for the Texans.

"The district of Harrisburg named Zavala as their delegate to the Consultation at San Felipe de Austin, which, on the 7th day of November, 1835, declared the people of Texas at war with the government of Mexico. The succeeding events are well known as well as the noble and honorable conduct of Zavala during the time the President of the Mexican Republic was a prisoner in Texas. Another convention, called together at Washington, declared the independence of that State on the 2d of March, 1836, in which declaration Zavala as a delegate concurred."

This convention elected D. G. Burnet president and Lorenzo de Zavala vice president of the Republic of Texas. He visited the field of San Jacinto the day after the battle, and was present when Santa Anna was brought before Houston as a prisoner. He is credited with having co-operated with Houston in preventing Santa Anna from being tried by a military commission and executed for his horrible cruelties to the Texans. The policy of mercy to Santa Anna is now almost universally approved.

When the first Texan Congress met at Columbia, October 3, 1836, President Burnet and Vice-President Zavala sent in their resignations, thus giving way for the inauguration of the constitutional government.

Vice-President Lamar paid the following tribute to Zavala in his address to Congress:

"Gentlemen, I should be doing an injustice to my own feelings if I were to resume my seat without paying to my predecessor in office that tribute of respect to which he is justly entitled, by his public as well as his private virtues. Through the period of a long life the ex-Vice-President, Governor Zavala, has been the unwavering and consistent friend of liberal principles and free government. Among the first movers of the revolution of his native country, he has never departed from the pure and sacred principles upon which it was originally founded. His steady and undeviating devotion to the holy cause of liberty has been amply rewarded by the high confidence of the virtuous portion of two republics. The gentleman, the scholar, and the patriot, he goes into retirement with the undivided affections of his fellow citizens; and I know, gentlemen, that I only express your own feelings, when I say that it is the wish of every member of this assembly that the evening of his days be as tranquil and happy as the meridian of his life has been useful and honorable."

In less than one month after this the noble Zavala departed this life.

The Telegraph and Texas Register of November 26, 1836, contains this obituary: "Died, on the 15th inst., at his residence on the San Jacinto, our distinguished and talented fellow citizen, Lorenzo de Zavala. In the death of this enlightened and patriotic statesman, Texas has lost one of her most valuable citizens, the cause of liberal principles one of its most untiring advocates, and society one of its brightest ornaments. His travels have procured him an extensive acquaintance with mankind; his writings have justly elevated him to a high rank as an author; and the part he has acted in the revolutions of his country and his uncompromising exertions in favor of republican institutions have erected to his memory a monument more durable than brass. His death will be lamented by the amiable and interesting family which he has left and the large number of friends which he has acquired through a life devoted to the cause of liberty and the service of mankind."

SIRON R. BOSTICK.

In the death of Siron R. Bostick, from cancer, at his home in San Saba, the night of October 15, 1902, passed away another member of the band of heroes who wrested Texas from Mexican misrule and established a separate republic, which they merged into the sisterhood of states that compose the American Union, and lived to see grow from the condition of a sparsely settled wilderness to a populous, wealthy and powerful commonwealth.

He was born in 1807, or 1808; came to Texas in 1828 with his father, who was one of Austin's colonists; participated in the opening fight of the revolution at Gonzales, the siege and capture of Bexar, and the battle of San Jacinto, and was one of the three scouts (his companions being Joel Robinson and James A. Sylvester) who captured and brought Santa Anna into the Texan camp, April 22, 1836.

It is with a feeling of sadness that we note the departure of the fathers of Texas from our midst and realize that the land their virtues and deeds have consecrated shall know them no more; but, as to them, they are doubtless willing to go, feeling that they have been singularly blessed in beholding the seed they planted give birth to institutions that have grown, from feeble beginnings, to a strength, maturity and promise that more than realizes the most sanguine dreams of their youth.

WILLIAM JOEL BRYAN.

BRAZORIA COUNTY.

The death of this patriot of the Texas revolution occurred at his home in Brazoria County, March 13, 1903, and his remains were interred in the family burying ground on Gulf Prairie the second day following. He was born at Hazel Run, a branch of the Tar Blue river, in Ste. Genevieve County, Missouri, December 14, 1816, the son of James and Mrs. Emily M. (Austin) Bryan.

His father, who was engaged in mining and smelting lead ore at Hazel Run, died in 1823 at Herculaneum, a town on the Mississippi river, twenty-five miles below St. Louis.

Mrs. Bryan was an only daughter of Moses Austin. He died at her home June 10, 1821, after his return from Texas. In 1824 she married James F. Perry, a merchant of Potosi, Washington County, Missouri, a town laid off by her father when the territory belonged to Spain.

William Joel attended school at Potosi until 1830.

In the spring of 1831 Mr. Perry started from Missouri with his family and traveled in wagons overland, reaching San Felipe August 31st. In 1832 he moved to a place that he established at Peach Point, ten miles below the present town of Brazoria. Mr. Perry performed valuable services during the Texas revolution and was on duty in the fort on Galveston island when the battle of San Jacinto was fought. His death occurred in 1852; that of his wife in 1851.

As a member of Capt. Ebberley's company, William Joel Bryan was among the first volunteers who marched from Gulf Prairie to Gonzales at the beginning of the Texas revolution in 1835. From Gonzales he proceeded with the army under the command of Gen. Stephen F. Austin, and participated in the siege and reduction of San Antonio.

After the capture of San Antonio the volunteer army disbanded, there

being no provision for its support and nothing for it to do. A few organized under the authority of the Governor, or Council, held together in the hope of inaugurating and participating in military enterprises that were mooted at the time, and others returned to their homes. William Joel Bryan was among the latter, as he saw that nothing would, or could, be done until the meeting of the Plenary Convention called for March 1, 1836.

After that convention elected Gen. Houston Commander-in-Chief of the army and after his arrival at Gonzales, news of the fall of the Alamo was received, and the patriot force began, under his direction, the famous retreat that terminated at San Jacinto. Mr. Bryan took part in this retreat as a soldier in Capt. Calder's company and would have participated in the battle of San Jacinto, but for the fact that he was stricken down by an illness that, for a time, it was thought would prove fatal. It was with him a life-time regret that he was thus prevented from being present. The family, however, was well represented on that memorable field by his brother, Moes Austin Bryan.

April 6, 1840, William Joel Bryan was united in marriage to Miss Lavinia Perry (niece of his stepfather, James F. Perry, and daughter of Dr. Samuel I. Perry), and established a plantation (named by him "Durazno") on the Brazos river, two miles below Peach Point and about six miles from Velasco. Here he lived continuously thereafter until the time of his death (a period of seventy-three years). For many years prior to his decease he was engaged in sugar planting and stock raising.

His wife died September 8, 1872. Six children were born to them, two daughters and four sons. The daughters married and have left descendants. The sons are still living, and are respected, well-to-do and influential citizens.

Mr. Bryan joined the Presbyterian church in 1894, and was a consistent Christian.

He was a member of the Texas Veterans' Association from its organization.

Such were the salient facts that marked with distinctive coloring a modest, honorable and useful life.

MRS. MARY JANE BRISCOE,
HOUSTON.

The death of this honored and beloved lady, whose life-history reaches back to the early days of Texas, occurred at her home, 620 Crawford Street, Houston, Texas, during the night of March 8, 1903. The funeral took place from Christ Episcopal Church in that city at 4 p. m. Wednesday, March 11, Rev. H. D. Aves officiating. Interment in Glenwood Cemetery.

The following children survive her: Mrs. M. G. Howe, Mrs. Adele B. Looscan and Parmenas Briscoe, of Houston, and Andrew B. Briscoe, of San Antonio.

In the printed report of the annual meeting of the Daughters of the Republic of Texas, held at Waco, April 20-21, 1903, are two pages (especially set aside for the purpose), containing the following:

"IN MEMORIAM."

"MRS. MARY JANE BRISCOE

"Honorary Life Member

"Texas State Historical Association, 1897-1903.

"First Vice-President

"Daughters of the Republic of Texas, 1891-1903.

"Member Texas Veterans' Association.

"First President

"Sheltering Arms, Woman's Home, Houston.

"BORN AUGUST 17, 1819, AT ST. GENEVIEVE, Mo.

"DIED MARCH 8, 1903, AT HOUSTON, TEXAS.

"The members of San Jacinto Chapter, Daughters of the Republic of Texas, with hearts full of grief for the death of Mrs. Mary J. Briscoe, First Vice-President of the general organization, and member of this Chapter, ask that these resolutions of regret be adopted and spread upon the minutes of the Chapter, and copies be sent to her family and the daily press:

"While we recognize the gentle hand of God in giving His beloved sleep, and bow with resignation to Him 'who doeth all things well,' believing that rest was joyful to her after her long and painful illness, yet, do we mourn our loss of sister, friend and counsellor in this organization. In her home, inspired by her noble ideas of patriotism, encouraged and guided by her helpful advice, the society of the Daughters of the Republic had its birth, and for the twelve years of its existence she has been its beloved First Vice-President. Her interest in the work for which we organized, and especially in the work of this Chapter, never grew less fervid, and her devotion to the cause of the old battlefield will be an inspiration to us for nobler efforts in its behalf, as it was, when on the morning we heard her spirit had fled to its better home, and we, faltering between our reverence and grief for the dead, and duty to our cause, seemed to hear her bid us 'Go' to San Jacinto, where the old oaks are keeping their silent watch over the long neglected graves of our heroes.

"Mrs. Briscoe was a woman nobly planned, and the whole circle of her life a grand fulfillment of its promises. In the beautiful freshness of her youth she came to link her name and fortune with the heroes then battling for liberty and independence. She became a central figure then, and for more than half a century her womanly merit, her patriotic

devotion, her singleness of purpose, her lovely Christian example, and her domestic virtues of every hue and form have made her conspicuous, and will continue to keep her fresh in the minds of all who shared her acquaintance or lived in the genial atmosphere of her friendship. To-day, she is gone, and like loving children weeping for their mother, we lay this little tribute of our affection on the altar of her memory. We shall miss her dear face from our meetings, her clear judgment and wise counsels that have so long pointed out the way for us, but her example will be to us as a fragrant flower the grave can not wither. We will think of her

"In that great cloister's stillness and seclusion,
By guardian angels led;
May we walk with her and keep unbroken
The bond which nature gives,
Thinking that our remembrance, though unspoken,
May reach her where she lives."

"To the members of her family, San Jacinto Chapter extends its loving sympathy, hoping that our all-wise and merciful Father will sustain and comfort them in this dark hour of sorrow."

Mrs. Mary Jane Briscoe was born August 17, 1819, at St. Genevieve, Missouri, where her parents, John R. and Mrs. Jane (Birdsall) Harris, were temporarily residing. During her infancy they returned to New York. Her girlhood was spent in that State at the home of her grandfather, half way between the towns of Waterloo and Seneca Falls.

Her mother and elder brother moved to Texas in 1833.

She remained at school in New York until after the battle of San Jacinto, and then, in company with her grandfather, Louis Birdsall, her cousin, George Babcock, and her younger brother, John Birdsall Harris, proceeded to Texas, traveling by canal to Cincinnati, thence by steam-boat to New Orleans, where they were joined by other relatives, thence on the schooner Julius Caesar to Quintana, at the mouth of the Brazos, where they arrived in the latter part of September, 1836, and thence on the steamboat Yellowstone up the river to the town of Brazoria, where they stopped for about two weeks at the boarding house of Mrs. Jane Long, widow of Dr. James Long, famous as the leader of "Long's Expedition."

The Texan Congress was holding its first session at Columbia, only a few miles distant, having assembled October 3d, and Mrs. Long's house was much frequented by the members and by the President and other officers of the Republic. Here Miss Harris formed the acquaintance of Gen. Houston and many other persons of distinction.

On the arrival of her brother, De Witt Clinton Harris, with a saddle-horse for her, the entire party proceeded to Harrisburg, conveying their household effects in ox-wagons the distance of fifty miles with much difficulty, as heavy rains had fallen and the prairie was for the greater part of the way covered with water. They found her mother living in

the only house spared by the Mexicans when they burned the town a few months before. It escaped the torch for the reason that it stood in the edge of the prairie and was not seen by them. Her own home had been destroyed. When they arrived they found her engaged in having it rebuilt by Mexican prisoners, a number of whom had been assigned to her for the purpose.

In the little house in the edge of the prairie Miss Harris first met her future husband, Capt. (later Judge) Andrew Briscoe. They were married August 17, 1837, by Hon. Isaac Batterson, then one of the justices of the peace for the county.

As her husband was an historic personage and her life was blended with his until the time of his death, the following relating to him may be appropriately incorporated here: He was descended from a cavalier family, members of which emigrated from England to Virginia in Cromwell's time, was the son of Hon. Parmenas Briscoe, and was born in Adams County, Mississippi, November 25, 1810; moved to Texas in 1834 with a large stock of goods and established himself at Anahuac, at the mouth of the Trinity, the chief port of entry on Galveston Bay; resisted the illegal collection of customs dues by Tenorio in June, 1835, and was imprisoned by that officer, who, however, was compelled to release him by William B. Travis and a band of Texans who loaded a six-pounder cannon on the sloop Ohio and attacked the fort—the first armed movement in defiance of Mexican despotism made by the colonists in that year; was elected captain of the Liberty Volunteers in October, 1835; participated with them in the battle of Concepcion, October 28, 1835; took part in the storming and reduction of San Antonio in December 1835; was a member of the Plenary Convention that assembled at Washington-on-the-Brazos, March 1, 1836, and was one of the signers of the Texas declaration of independence; raised a company of regulars (Company A) for the army and commanded it in the battle of San Jacinto; was appointed Chief Justice of Harrisburg county and moved with his wife to the town of Houston, where he purchased a two-story house on Main Street (the first dwelling on the street), one block from the capitol; secured a charter for the Harrisburg and Brazos Railroad in 1839, the first obtained in Texas, but after a few miles of grading was done the enterprise was abandoned; returned to Harrisburg in 1840 (after the expiration of his term of office); built there a two-story brick dwelling, and engaged in the cattle business until 1849; then moved to New Orleans, where he established a banking and exchange house, and, after a brief illness, died October 4th of that year.

After his death Mrs. Briscoe lived for two years on the plantation of his father, Hon. Parmenas Briscoe, in Claiborne County, Mississippi. This gentleman settled in the territory of Mississippi in 1809, commanded a company in the Creek war, was a distinguished member of the Legislature of Mississippi several years prior to and including 1843, was a recognized leader of Democracy in that State until March, 1851,

then went to California, and during the return trip died on shipboard near Acapulco, Mexico, and was buried at sea.

Mrs. Briscoe came back to Texas in 1852; resided at Anderson, in Grimes County, until 1857; moved thence to Galveston, and in 1859, at her mother's suggestion, returned to Harrisburg, where she resided until 1873, in which year she moved to Houston, thereafter her home.

She was a member of the Episcopal Church, and was confirmed as such by Rt. Rev. Bishop Freeman, the first Episcopal bishop of the diocese of Texas. She was also a member of the Texas Veterans' Association and frequently attended its annual meetings.

Among her other accomplishments she was a graceful and forcible writer; some of her productions (notably a description of the meeting of the Texas Veterans' Association at Temple in 1887) evince a skill seldom possessed except by those whose profession is writing, and whose pens have begun, at least, to "ope' the world, mine oyster," as Ancient Pistol declared he would do with his sword.

April 21, 1837, she attended a ball given at Houston in honor of the first anniversary of the battle of San Jacinto. She was then the beautiful Miss Harris, the principal attraction to a score of admirers, and danced with Gen. Houston and other notables. Ex-Gov. Lubbock was her partner in several dances. He, perhaps, is the only person now living who participated in the pleasures of the occasion.

Judge Briscoe left large landed interests, which she husbanded by wise management and left to her heirs.

Her children loved her with a devotion that makes her loss one that no words can reconcile them to, that only the Great Healer can give them fortitude to bear. The people of the entire State honored her. May the sod rest lightly upon her remains, the choicest flowers of spring adorn her grave, and the birds sing above it their sweetest songs, for there is all that earth may claim of her.

STEPHEN H. DARDEN.

Hon. Stephen H. Darden died May 16, 1902, at Wharton, Texas, at the home of his step-daughter, Mrs. Mary E. Phillips, where he and his wife had resided for several years.

His remains were brought to Austin the following day and interred in the State Cemetery with Masonic honors. John B. Hood Camp of Confederate Veterans was present in a body, as were also a large concourse of other friends.

He was born at Fayette, in the Territory of Mississippi, in what is now Jefferson county, November 18, 1816,¹ the son of Washington Lee Darden and Ann Sharkey Darden. His father was of English descent,

¹ Mississippi was admitted as a State December 10, 1817.

was born in Virginia in 1781, near Gen. Washington's headquarters, and was nearly related to the Washington and Lee families of that State.

His father's mother (nee Miss Elizabeth Lanier²) was a kinswoman of Gen. Washington, and his father was named Washington Lee by him—Washington for the General and Lee for "Light Horse" Harry Lee. One of his father's sisters (Miss Elizabeth Darden) married Gov. Stephen Hurd, British Colonial Governor of Georgia. His mother was also a native of Virginia, was of Irish ancestry, and was a cousin of Chief Justice William Sharkey, of Mississippi, who became Governor of that State after the war of 1861-5. Col. Darden was a cousin of Gov. Hardin R. Runnels, of Texas. He was reared on his father's farm in Madison county, Mississippi, attended country schools during a portion of his boyhood, and completed his literary education at Kentucky Cumberland College.

The fact that the Texan patriots of 1835-6 were battling against a barbarous and despotic foe for all that freemen hold dear appealed powerfully to brave spirits in the United States, and hundreds enlisted to assist them in the struggle. He was among the number, enrolling himself in the early days of 1836 as a member of a company of cavalry raised by Capt. David M. Fulton, a wealthy farmer in Mississippi. This command reached Texas in April, 1836, proceeding by forced marches, and, still hurrying forward, was in a short distance of Gen. Houston's army when the battle of San Jacinto was fought. It later (in May) went to San Antonio. There had been no rain there since the fall of the Alamo. The building had been blown up and the walls of the inclosure partly demolished by the Mexican cavalry who had been left in the city when Santa Anna moved eastward and who, in obedience to the terms entered into with him after the battle of San Jacinto, evacuated the place and retired beyond the Rio Grande, not, however, without committing this last act of vandalism.

The bloodstains on the walls in the church and elsewhere were still plainly discernible, and the ashes and charred bones of those who perished in the massacre yet remained unburied in the open space where the bodies were committed to the flames.

In a short time the company was ordered to Gonzales and was employed in scouting duty south to the coast and as far west as the Nueces. At the expiration of six months, the term of its enlistment, it was disbanded.

Darden went back to Mississippi, where he owned large landed interests. A few years later he returned to Texas, bought land on the Guadalupe, in Gonzales county, and established a farm, to which he moved his family from Mississippi in 1846, and where he resided until after the war between the States.³

² Of the same family as that from which the Texas poet Sidney Lanier was descended.

³ He married a few years after his return to Mississippi. He was married four times.

Prior to the war he served two terms as a member of the Texas House of Representatives, with marked distinction.

When the secession of Texas was advocated he opposed that measure, not for the reason that the Southern States had no right to withdraw from the Union, but because he believed the step to be unnecessary, impolitic, and certain to be followed by civil war.

This opposition being severely criticised, he became a candidate for the State Senate, to vindicate himself.

Events, however, crowded thick and fast, and in the midst of the race he left the political arena for the field of arms, going to Virginia as first lieutenant in Capt. Key's company, which became Company A, Hood's regiment, Fourth Texas brigade, and was the first raised in Gonzales county.

Notwithstanding his absence from the State, he was elected to the Senate, and, returning to Texas, served in that body during the session of 1861-2.

He then rejoined Company A at the front, became its captain, and served with it in the various engagements from Yorktown to Sharpsburg. At Sharpsburg two color bearers (one after the other) were shot down at his side, whereupon he picked up the flag and gallantly bore it forward in a successful charge. His health failing at the close of this campaign, Capt. Darden resigned his position and returned to Texas. The next year he commanded a body of troops on the southwest Gulf coast of Texas, and became very popular in that section.

In 1864 he was elected to represent the First Texas district in the Confederate Congress (to succeed Hon. John A. Wilcox, deceased) and served as a member of that body until the end of the war.

During reconstruction times he sought as best he could to repair his shattered fortunes and at their close aided in overthrowing carpet bag and radical rule.

He was active in the work of reorganizing the Democratic party. The State convention held at Austin in 1873 nominated him for Comptroller of Public Accounts, and December 2d of that year he was elected, with other members of the Coke ticket, by nearly 50,000 majority over his Republican opponent. He qualified as Comptroller and took charge of the office January 20, 1874. He was re-elected February 15, 1876 (under the newly adopted Constitution of 1876) and November 5, 1878, and served until January, 1881, when he was succeeded by Hon. W. M. Brown.

He was appointed Superintendent of Public Buildings and Grounds by Gov. Ireland, February 9, 1884, and served as such until January 22, 1887, when he was succeeded by Gen. William P. Hardeman.

From January, 1887, to January, 1895, he was chief clerk of the Comptroller's department—from the beginning to the end of Hon. John D. McCall's terms of office as Comptroller.

He also served for a number of years as a member of the Board of Trustees of the State Lunatic Asylum at Austin.

He was secretary of the Texas Veterans' Association from the time of its organization in 1873 to his death. The last public service of his life was rendered the association at its meeting at Lampasas, April 20-21, 1902, where he assisted President Winters in presiding.

From Lampasas he went to Dallas, where he attended the Confederate reunion, April 22-25, 1902, and then returned to Wharton. After a few days of illness he quietly passed away, in the presence of his family and a few friends, at the age of 86.

He was married to Miss Catherine Mays, daughter of John and Anna Sherlock Mays, at Seguin, on the 24th day of March, 1862. His wife and the following children, born of his last marriage, survive him: Nelson Mays Darden, of Bay City, and Mrs. Anne Darden Brown, of Austin. Mrs. Tyler Terrell, a daughter born of a former marriage, is living at Seguin.

He moved with his family from Austin to Wharton in December, 1897, and made his home with Mrs. Phillips, daughter of Mrs. Darden by a former marriage.

He was a Royal Arch Mason. He instituted or organized Alamo Lodge in San Antonio in December, 1847.

At all times he was modest and unpretentious, and lived strictly in accord with the dictates of love and charity. Nothing that required his attention was overlooked or undisposed of. Many there are who will bear witness to his sympathetic kindness and generosity of spirit. In his prosperous days he lived literally with open hands.

BENJAMIN Z. BOONE.

The participants in the events of the early heroic days of Texas have nearly all passed like shadows from the land that once thrilled at their deeds. One of the number, Benjamin Z. Boone, died at Blanco, Texas, February 13, 1903.

He was born in St. Charles county, Missouri, September 15, 1816, and came to Texas in 1837. Besides taking part in numerous Indian fights and rendering the usual service of pioneers in the protection of the frontier, he was one of those who invaded Mexico upon the disbanding of the Somervell expedition on the Rio Grande in 1842, participated in the drawing of black beans at the hacienda of Salado, and, having the good fortune to draw a white bean, escaped death and, after an imprisonment of twenty-two months at the castle of San Carlos, near Perote, was released, and returned to Texas and settled in Blanco County, where he thereafter resided. He remained active until his death, going about on foot and horseback.

ISAAC DUKE PARKER.

Isaac Duke Parker, who came to Texas in 1837 from Illinois, was one of the first representatives from Tarrant county in the State Legislature, an uncle of Cynthia Ann Parker, who was captured by the Indians at the Parker's Fort massacre in 1836 and recaptured by Capt. (later Gen. and Gov.) L. S. Ross in December, 1860, died at his home in Tarrant county, Wednesday morning, October 29, 1902, aged 81 years.

He was a prominent figure in the Populist State convention in 1902, on which occasion he delivered a notable speech. He was an historic figure in Texas.

**ANDREW JACKSON BURKE.
HOUSTON.**

The death of this respected citizen and pioneer Texas merchant occurred at Houston at 4 o'clock p. m., March 22, 1903, after a brief illness. On March 6th he was run over on Main street and, while that was not the immediate cause of his death, the shock sustained probably hastened it. The funeral occurred at 3 p. m., March 23d. from the residence of his son-in-law, George R. Bringhurst, 2716 Milam street, Houston, Rev. William Hayne Leavell, of the First Presbyterian Church, officiating; interment in Glenwood Cemetery.

Mr. Burke was born October 10, 1813, near the site of the present town of Elton, Giles county, Tennessee. His parents, Benjamin and Mrs. Drucilla Burke, moved to that section, from Fairfield district, South Carolina, about the year 1805.

His boyhood was passed upon his parents' farm.

Upon the death of his father, in 1830, he determined to make an effort to carve out for himself such a place in the world as he could, and with that end in view went to Vicksburg, Miss., where, after he had almost despaired of being able to secure employment, he obtained a position in the store of a merchant at a small salary. Fidelity and capability soon won for him the confidence of the excellent gentleman with whom he was associated, and in November, 1832, he was sent with a small stock of goods to the village of Amsterdam, twenty miles from Vicksburg. At the expiration of two years, he successfully embarked in business upon his own account, with means he had saved from his earnings. In the spring of 1837 he sold his stock of goods at Amsterdam and went to San Augustine, Texas.

September 26, of that year, he married in Shelby county, Texas, Miss Eloise Lusk, daughter of George V. Lusk, who had moved to the

Republic a year previous. Mrs. Burke was born and reared in Pickens county, Alabama. She died February 18, 1886. Thirteen children were born to them, of whom the three following are now living: Hon. Frank S. Burke, a prominent member of the Houston bar; Edmund L. Burke, a railway conductor, and Mrs. Annette Bringhurst.

Mr. Burke located in the new town of Houston in November, 1837, and in the spring of 1838 opened a mercantile business in a small building on the south side of Main street, about midway of the block between Preston and Congress avenues. From that time until he retired from active pursuits in 1876, he was one of the leaders in the constantly expanding commercial life of the city.

He was at one time a member of the board of directors of the Houston & Texas Central Railway. He was twice elected and served as a member of the county commissioners court and was for one term mayor of Houston. He had no desire for public office, and, with the exceptions mentioned, declined to be a candidate for or accept such honors.

Early in life he became a member of the Presbyterian church, and from June 22, 1845, was an elder of the First Presbyterian church of Houston.

He became a mason in 1844 and was one of the oldest members of the fraternity in Texas.

His residence in Houston extended over a period of sixty-six years.

MRS. SARAH ELIZABETH BLACK LUBBOCK,

Wife of Ex-Gov. F. R. Lubbock, died at the family residence in Austin, on Saturday, the 9th day of August, 1902.

The funeral service was held on the 11th, at the home of the family, by the Rev. R. K. Smoot, who made on the occasion a feeling address to a large concourse of people.

The active pallbearers were: Jno. D. McCall, John G. Tod, Jno. O. Johnson, W. B. Wortham, W. H. Bell, and M. M. Johnson; the honorary pallbearers being A. W. Terrell, C. W. Raines, E. T. Moore, Z. T. Fulmore, and Graham.

A long train of carriages followed the remains to the State Cemetery, where they were interred with due Christian solemnity under the direction of Dr. Smoot. In conclusion the grave was literally covered with beautiful flowers as the offering of friends.

Sarah Elizabeth Black was born of good revolutionary stock, in Spartanburg district, South Carolina. Her father, the Hon. James H. Black, was more than once a member of Congress from the Pinckney district, and her mother, Sarah Elizabeth Logan Black, was a daughter of Col. John Logan, an officer of the American Revolution. Her brother John Logan Black was Colonel of the First South Carolina

cavalry regiment in Hampton's Legion, C. S. A. Her sister, Mary Foster Black, married in 1861 Rev. James Adams Davies, a Presbyterian minister of York, South Carolina. At her death she left two sons, one living in that State and one now living in Fort Worth, James Davies.

The subject of our sketch married in May, 1864, the Rev. A. A. Porter, a graduate of Princeton, and then a Presbyterian minister. They came to Texas in 1869 and Dr. Porter became at once pastor of the Southern Presbyterian church of Austin, and remained in that relation till his death, in December, 1872. Soon after this sad bereavement Mrs. Porter with assistants taught a private school and later accepted the position of teacher in Mrs. Kirby's school for girls called Alta Vista. After ten years' successful work in teaching Mrs. Porter married Ex-Gov. Lubbock, then State Treasurer, in 1883, and retired from the profession. Mrs. Lubbock's field of usefulness was now enlarged, and she took an active interest in various religious and patriotic societies and in all movements tending to the public welfare. It was Mrs. Lubbock's persistent effort that induced Gov. Lubbock to undertake the memoirs of his long and eventful life. Later, after the manuscript was in a measure prepared, she engaged the services of C. W. Raines, once State Librarian, to arrange the matter and edit the publication. The plan of the work having been materially changed it took about three years of labor to get it through the press. And it is no more than the truth to state that Mrs. Lubbock was the inspiration from start to finish of the publication which came out under the name of "Six Decades in Texas, or The Memoirs of F. R. Lubbock." Many of the brightest paragraphs of the book were conceptions of her mind and written out by her hand.

Mrs. Lubbock was a good woman, being in church relations a staunch Presbyterian, descended from several generations of Presbyterian stock. She had a well trained mind and strong will power, and rarely ever failed in any of her undertakings. Exemplary in her domestic relations and social in her feelings Mrs. Lubbock left a large circle of friends to mourn her departure. [C. W. R.]

P. DE CORDOVA,
AUSTIN.

Phineas De Cordova, whose life in Texas embraced a period of nearly sixty years and in a modest way was identified with the history and development of the State, died at the home of his son, Mr. Sam De Cordova, at Austin, May 8, 1903.

The funeral occurred at 4:30 p. m. the following day from the family residence, 706 Guadalupe street; interment in the Jewish cemetery. The religious services were conducted by Rabbi Rosenstein, of Temple Beth Israel, of which the deceased was a communicant.

The remains were followed to their last resting place by the congregation of Temple Beth Israel, the local lodge I. O. O. F. of which he was a member, and a large concourse of leading citizens.

The honorary pallbearers were Hon. A. W. Terrell, Hon. Walter Tips, Col. A. P. Wooldridge, Hon. Wm. Walsh, and Messrs. B. Melasky and Henry Hirshfeld.

The active pallbearers were selected from the Odd Fellows and congregation of Temple Beth Israel. Those from the Odd Fellows were Messrs. H. M. Metz, Phil. Stein and John Kyle, and from the Temple Messrs. Louis Davis, George Ash and A. R. Haber.

Mr. De Cordova was born in Philadelphia, Pa., March 28, 1819; came to Texas in 1847, and spent a year in Galveston with his brother, Jacob De Cordova, who located in the then republic about ten years prior to that date; resided for a short time in Houston, and then established himself at Austin, thereafter his home until the time of his death. He was editor of a newspaper published at Austin in early days and won recognition, in that capacity, as a clear and sound thinker and elegant and forcible writer. In later years he contributed various articles to the leading newspapers of the State.

He was associated with his son, Mr. Sam De Cordova, in the real estate business until failing health compelled him to retire from active pursuits a few years since.

His son and six grand children (two children of his son, and four children of his daughter, the late Mrs. R. H. Ward) survive him.

He was a man liberally educated, widely read, with a mind stored with recollections of the heroes and statesmen of early days with whom he was associated and important events that he witnessed or in which he participated, with a heart devoted to Texas—chivalrous, patriotic and noble. He has left a memory that all who knew him dwell upon with pleasure and that will reflect honor upon his descendants to their latest generation.

**TEXAS-MEXICAN WAR VETERANS' ASSOCIATION,¹ AND DAMES
OF 1846.**

The annual reunions of these associations for 1902 were held in Fort Worth, May 20-21, and that city was selected as the place for the reunions to be held in 1903. Col. Geo. P. Finlay presided over the meetings held by the Texas-Mexican War Veterans. Seventy-five were present. The address of welcome was delivered by Mayor Powell.

At the first day's session committees were appointed, and an interesting letter from Mrs. Jefferson Davis read. She congratulated the veterans upon having passed another mile post, expressed regret at her not being able to be present, and extended best wishes.

The report of the memorial committee showed the following deaths: — Huddler, of Victoria; William O'Brien, of Lorena; T. C. Anglin, of Fort Worth; J. T. Stewart, of Ennis; B. M. Bryant, of Marlin; M. J. Brinson, of Arlington; W. R. Allison, of McKinney; Henry Parker, of Hood County; Frank Beverly, of Belton; H. M. Cook, of Belton, and W. R. Willis, of Nolanville.

The old officers were re-elected to serve during the ensuing year, as follows: George P. Finlay, president; W. E. Estes, first vice-president; Abe Harris, second vice-president; Wm. Bohls, third vice-president; N. C. Duncan, fourth vice-president; P. M. Kolb, fifth vice-president; A. C. Hereford, treasurer; A. J. Nave, secretary, J. J. Melton, assistant secretary, and Dr. J. A. Anthony, surgeon.

Wm. E. Estes, A. J. Nave, and J. J. Melton were appointed a committee to write Mrs. Jefferson Davis and express the thanks of the association for her kind greetings.

At the second day's session a message was received from President Roosevelt, extending cordial greetings. G. P. Finlay, J. A. Anthony, and W. E. Estes, a committee appointed for the purpose, reported a reply to the message thanking the president for the kind consideration shown and asking him to use his influence to secure favorable action by the United States Congress on a memorial to that body, which they inclosed. The memorial, after alluding to the facts that the territorial area of the United States was extended to the Pacific ocean as a result of the patriotism and bravery of the soldiers of the armies of Taylor and Scott; that the soldiers received small pay; that a majority of the

¹ The Texas Mexican War Veterans' Association was organized at Flatonia July 28, 1896. The officers elected for the first year were: J. Y. Criswell of Flatonia, president; Porter Price of Flatonia, first vice-president; G. S. Walton of Colorado City, second vice-president; G. S. Turner of Marble Falls, third vice-president; J. D. McLean of Gonzales, fourth vice-president; J. H. Cole of Fan-nin County, fifth vice-president; A. C. Hereford of Colorado City, treasurer, and A. J. Nave of Columbus, secretary. Messrs. Nave, Walton, and Alex. Fitzgerald are credited with originating and conducting the movement that resulted in the organization being formed.

few aged and decrepit survivors were needy, and that the pensions allowed Mexican war veterans were less than those given soldiers of other wars, asked Congress to enact a law, or laws, raising the amount to such an extent as would establish substantial equality. The reply and memorial were, on motion, adopted.

Among those in attendance was Mrs. Kate Arnold Parker, only living daughter of Maj. Ropley A. Parker, of Mississippi.

At the date of the meeting there were 248 members of the Texas Association of Mexican War Veterans. The membership of the national organization was said to be 4000, and the original number of United States soldiers, regulars and volunteers, who participated in the war, 102,000.

The veterans were given a complimentary trolley-car ride the afternoon of May 20th. The following afternoon they were given a reception, at which an elegant banquet was served by the "Dames of 1846," an organization of ladies formed to commemorate American heroism displayed in the Mexican war.

At the first national encampment of the "Dames of 1846," held on the 21st, the following officers were elected: Mrs. Moore Murdock, of Fort Worth, national commandant; Mrs. Mary Frances Hamman, of Fort Worth, national secretary; Mrs. Ora Slack, of Fort Worth, national registrar; Mrs. Mamie B. Wallace, commandant for Missouri; Mrs. Josie Frazee Cappleman, commandant for Mississippi, and Mrs. Kate A. Parker, of Mississippi, commandant emeritus for Texas.

The annual reunion of the Texas-Mexican War Veterans' Association for 1903 was held in Fort Worth, June 2d and 3d. The attendance was much larger than in the year previous, 100 being present.

Col. Geo. P. Finlay (now a resident of Austin), presided.

The first day's session was opened by the veterans repeating in unison the Lord's prayer.

Mayor Powell, speaking for the city, and Col. E. W. Taylor, for R. E. Lee Camp, delivered addresses of welcome and were responded to by Colonel Finlay and ex-Gov. F. R. Lubbock.

At noon the veterans were given a complimentary street car ride to the stock yards, where they enjoyed an elegant luncheon tendered them by O. W. Matthews of the stock yards company.

In the afternoon an address of welcome was delivered by Capt. Sam Evans, on behalf of old citizens, and by W. R. Booth, on behalf of R. E. Lee Camp, Sons of Confederate Veterans.

An interesting program was observed both days.

June 3d Congressman O. W. Gillespie delivered an address on pensions, stating that he would do what he could to secure an increase for the veterans.

Mrs. Moore Murdock, national commandant of the Dames of 1846 (that organization was in session at Fort Worth at the time), spoke also along the same line, stating that she hoped to accomplish something substantial when Congress met. She said that she and others would exert

themselves to have the pension increased from \$12 to \$30 per month. M. D. Tenney, of League City, a member of the G. A. R., endorsed Mrs. Murdock's remarks and declared that he would lend all the aid he could to secure the increase.

An address on the subject by Rev. James S. Myers, pastor of the Christian Tabernacle of Fort Worth, was well received.

The following letter from Mrs. Jefferson Davis was read:

"My Dear Comrades—Your kind and cordial invitation to be with you on June 2d should have been answered 'ere this, except that I have been suffering greatly from a very prostrating illness, so that I am still too ill to do more than thank you and say that like yourselves, I am very proud of being a member of your honorable body.

"When Mr. Davis went to Mexico I was 18, and not quite past my bridal days. He came back to me more or less invalided for life, and the year he was absent will never be forgotten by me or, I suppose, by any other who suffered in the same way at that time. There were no telegraph lines then to relieve our acute anxiety, and from Natchez to the headquarters of our army the shortest time in which a letter could be delivered was three weeks. Every hour brought a fresh rumor, and we old wives of this time know how much the Dames of 1846 suffered, and I have often felt very grateful that the brave women of 1861-1865 were spared what we endured.

"Congratulating you upon the glory won by our troops, and regretting that I can not be with you at our reunion, yours,

"V. JEFFERSON DAVIS."

The death of Maj. William E. Estes at Texarkana, first vice-president of the association, was referred to and several eulogies were pronounced upon his character and services.

Fort Worth was selected as the place for the next annual reunion.

The following officers were elected: Col. Geo. P. Finlay, of Austin, president; Col. Abraham Harris, of Fort Worth, first vice-president; Buck Barry, of Walnut Springs, second vice-president; J. C. Griffith, of Terrell, third vice-president; John T. Noble, of Georgetown, fourth vice-president; Alphonso Freeman, of Weatherford, fifth vice-president; Capt. A. J. Nave, of Columbus, secretary; A. C. Hereford, of Moulton, treasurer; Dr. J. A. Anthony, of Terrell, surgeon.

At night the following social entertainment, arranged by the Dames of 1846, was enjoyed: Song, "My Lady Chlo," St. Cecilia octette; character dance, Miss Forest Croom; whistling solo, "Mocking Bird," Miss Fannie Hunt; song, "Robin Adair," Miss Hattie Hill Haynes; patriotic airs, Miss Katie Daffan; recitation, Prof. W. W. Heathcote; "Tenting on the Old Camp Ground," St. Cecilia octette; impromptu dances, cotillions, and quadrilles; taps.

At their meeting the first day the Dames of 1846 elected the following officers: Mrs. Moore Murdock, of Fort Worth, national command-

ant; Mrs. Mary Frances Campbell Hamman, of Fort Worth, national secretary; Miss Alice Quitman Lovell, of Natchez, Miss., national organizer; Mrs. Ella Moore Kirtley, of Fort Worth, State commandant; Miss Kate Daffan, of Ennis, State organizer; Mrs. Nannie B. Wallace, of Independence, Mo., State commandant; Mrs. Josie Frazee Cappleman, of Okolona, Miss., State commandant; Miss Jessie Randolph Smith, of Henderson, North Carolina, State commandant; Mrs. Louise Kenaday, of Washington, D. C., district commandant.

Miss Bessie McLean, Miss Roe, Mrs. Harry Fisher, Miss Katie Daffan, and Miss Pearl Calhoun, added to the pleasure of the meetings by rendering vocal musical selections. Other features were addresses by Mrs. Murdock and Rev. James S. Myers, reading letters from the absent, and the discussion of various topics of interest to the organization.

THE ANNUAL CONVENTION OF THE UNITED CONFEDERATE VETERANS' ASSOCIATION.

As the work of preparation for the annual convention of the United Confederate Veterans' Association, to be held at Dallas, progressed and it became known that a large proportion of the surviving soldiers of the "Lost Cause" would be present, interest in the event steadily broadened and deepened, and found various expression, in print and otherwise.

Of the literary productions to which it gave rise, none excelled the following, published in the Dallas News, December 27, 1901:

"For the News:

"THE CONFEDERATE REUNION.

"BY W. L. SANFORD, SHERMAN, TEXAS.

"We are going down to Dallas if our lives are spared till May,
To see the veteran army that immortalized the gray.
'Twill be an inspiration and a precious boon, we know,
To cheer the marching columns that some forty years ago
In dazzling deeds of valor gave a deathless theme for song
And taught mankind the lesson to suffer and be strong.

"Their brows are deeply furrowed and their heads are touched with snow,
Their forms are bent with weight of years and some with weight of woe;
But their shields are just as spotless and their souls are just as true
As when they charged at Gettysburg the bristling ranks of blue.
They are coming to visit us, these old and grizzled men,
And we'll give them such a welcome as will make them young again.

"We are going to take our boys along that they for once may see
The men who in the Wilderness fought under princely Lee.
And then the men of Shiloh, who, 'mid canister and shell,
In pity paused to drop a tear when Sidney Johnston fell.
And Shenandoah's heroes, too, who, with a rebel yell,
Had Stonewall Jackson ordered, would have stormed the gates of hell!

"And who shall write an epic of those days of fire and blood,
Nor name the dauntless warriors of Forrest and of Hood;
Of Morgan, the bold raider; of that dashing cavalier
'Jeb' Stuart; of young Pelham, the immortal cannoneer,
And all those knights of chivalry who rest in peace profound
In graves which jealous Fame has blessed and marked as holy ground.

"The puny wars which nations wage on nations of to-day
Are but the mimicry of war—the games which children play—
When gauged by that Titanic strife, when Southern valor hurled
Its thunderbolts against a foe whose ally was the world.
Then avalanche met avalanche, and loss was reckoned then
By squadrons and whole regiments, and not by single men.

"The world grown old, had never seen, and never more may see,
A host such as that whose sabers flashed about the flag of Lee.
And when the shrines for which they fought have crumbled into dust—
Aye, when this great Republic shall have perished, which it must,
When Truth shall wake her silent harp to songs of mighty wars,
Their names and deeds will blossom with the splendor of the stars.

"It was not ours to wear with them the hallowed cloth of gray,
Nor share with them the stress of march, the horrors of the fray;
It was not ours to hunger and to thirst on war-swept plain
And bivouac on the battlefield, 'mid ranks of comrades slain;
'Twas not our fate to hear the jeers and face the victor's frown
When Christ at Appomattox wept and pulled the curtain down;

"But well we know the story from Fort Sumter to the end,
And on our hearts is laid the charge to honor and defend
The cause for which they struggled and for which they bravely bled,
To love and aid the living and to reverence the dead;
To wreath the sacred mounds where sleep those loyal hearts, and true,
And while the thread of life holds out, please God, these things we'll do!

"Upon our walls three pictures hang—the faces of the three
Immortal Gods of warfare—Stonewall Jackson, Johnston, Lee.
We placed them with the purpose that our little ones may grow
To learn the truth and love the men who in the long ago
Surrendered all save honor in a grand unequal fight
For homes and country and for what they still believe is right.

"So we're going down to Dallas, those fast thinning ranks to meet
Which, only when outnumbered thrice, stacked arms in proud defeat.
The sun is fast declining, and the march is nearly o'er,
And now and then comes a sound from yonder mystic shore;
It is Death's bugle calling in some weary form in gray.
Let's hasten on to cheer them for the last time, while we may."

The dates for holding the convention were afterwards changed from in May to April 22-25, 1902, both inclusive.

It soon became known that the crowd would far exceed in number the city's entire population, and the Texas Confederate Reunion Association, with President C. C. Slaughter at its head, bent its energies to prepare for the comfort and entertainment of the expected soldier guests and other visitors. Col. Slaughter visited Washington and, with the aid of the Texas delegation, secured the passage of an act by Congress, by a unanimous vote, permitting the use of whatever army tents were

needed.¹ Of the 1000 tents used, 165 came from Fort Sam Houston and the remainder, 835, were supplied (upon the order of Gov. Sayers) by the State Adjutant General's department at Austin, Adjutant General Scurry superintending their erection on the Dallas fair grounds, which were selected as the place for holding the encampment and for the time designated Albert Sidney Johnston Cantonment.

The throng that gathered in the city was even larger than expected, but so perfect were all arrangements that, had it been still larger, it could have been promptly and satisfactorily handled, housed, and fed.

About 12,000 veterans were cared for at Albert Sidney Johnston Cantonment. Many others, and thousands of visitors, were entertained at hotels, boarding houses, public buildings and private residences, every door being thrown open for their accommodation, and the Bureau of Information promptly assigning quarters to those who applied.

But few accidents occurred (none of a serious nature) and so well ordered were the police arrangements that few offenses were committed—and pickpockets and other criminals found it practically impossible to ply their nefarious avocations.

From beginning to close no unpleasant incident occurred to mar the occasion.

The hospitality extended by the people of Dallas was such as will render that city famous for many a year.

The following is a brief resume of the proceedings of the convention and other happenings:

FIRST DAY—APRIL 22.

Fully 7000 people gathered in the auditorium of Albert Sidney Johnston Cantonment the morning of April 22, 1902, to witness the opening and proceedings of the convention. Of a total of 1518 ex-Confederate Camps, 770 sent delegates, and nearly all were represented by members being present.

¹Gen. Scurry's annual report to the Governor October 20, 1902, contains the following:

"By request of the Confederate Veterans' Reunion Association of Dallas, permission was granted a number of organizations of the Texas Volunteer Guard to visit that city from April 22 to 25, 1902, during the reunion, without expense to the State. The troops were ordered to report to Brig. Gen. A. P. Wozencraft, who was directed to assume command of such troops as might be present. * * * I have been informed that six or eight infantry companies were present, besides the military organizations of Dallas.

"The association also requested the use, without expense to the State, of all of the camp equipage in the possession of the State, which was granted by your Excellency, and the tents were pitched at the Fair Grounds in Dallas, under the supervision of this department, for use as shelter for visiting veterans and military companies, the Association having supplied cots for the veterans. On the evening of the last day of the reunion there was quite a wind storm which blew down many tents, some of which were torn. These were promptly repaired at the expense of the Reunion Association, and the property was returned to Austin. This loan of tents was made possible by a special act of Congress permitting the use of government tents for this particular reunion."

On the stand were seated Governor Sayers, Gen. K. M. Van Zandt, Gen. Cabell, Hon. John H. Reagan, Miss Kate Daffan, sponsor for the Texas division, U. C. V., and other distinguished persons.

The Grand Army band of Canton, Ohio, discoursed delightful music.

At 11:45 a. m. Gen. Van Zandt rapped for order and introduced Rev. W. M. C. Young, who delivered the invocation.

Governor Sayers was then introduced and, in behalf of the State, delivered an address welcoming the veterans to Texas, and was frequently applauded. He said, in part:

"Thirty-seven years have come and gone since the termination of our Civil War—a war without parallel in the history of nations, ancient or modern. That great conflict was the result of a difference between the sections as to the proper interpretation of the Constitution arising at the very organization of our federal government and increasing in strength and bitterness until it culminated in an appeal to arms. Other causes have been assigned, and they doubtless had a measure of influence, but it may be insisted, without danger of successful contravention, that it was for the faithful and strict observance of the Constitution * * * and the right of local self-government * * * that the South made contention. * * * Though defeated and sorely stricken, the South emerged from the conflict with the shield of its honor unbroken and the flag, under whose folds it had so often marched, as well to victory as to defeat, untarnished by crime. Those who fell rest in honored graves. Nor have they been forgotten. Today this mighty gathering after so many years, from every part of the Southland, attests with convincing emphasis the enduring affection for them among the living. Of our dead it may in all truth be said :

"How sleep the brave who sink to rest
By all their country's wishes blest!
When spring, with dewy fingers cold,
Returns to deck their hallowed mould,
She there shall dress a sweeter sod
Than fancy's feet have ever trod.

"By fairy hands their knell is rung,
By forms unseen their dirge is sung;
There Honor comes, a pilgrim gray,
To bless the turf that wraps their clay;
And Freedom shall awhile repair
To dwell a weeping hermit there."

"But magnificent beyond all description as was the exhibition of American genius, courage and steadfastness to duty in this great conflict of arms, the reconciliation that has taken place between the States that warred so fiercely and so long, will give to history a theme with which to adorn its brightest and fairest pages. To its accomplishment, it is indeed gratifying to recall, the ex-president of the Confederacy contributed in no small degree. In one of his latest public utterances to the people of the South, he said :

"Men, in whose hands the destinies of our Southland lie, for the love of her I break my silence and now speak a few words of respectful admonition. The past is dead. Let it bury its dead with its hopes and aspirations. Before you lies the future—a future of expanding national glory, before which the world shall stand amazed. Let me beseech you to lay aside all rancor, all bitter sectional feeling, and take your place in the ranks of those who will bring a consummation devoutly to be wished—a reunited people."

"Patriotic and inspiring indeed are these words, and worthy are they of perpetual remembrance. In the gloom of his own misfortunes and amid the gathering shadows of an advanced age, the great Southern leader thus spoke to the people by whom he had been so long and so highly honored, and by whom he was so well loved, in the language of patriotism, of hope, and of promise. Happy are we, my comrades—in reconciliation complete—to live in such a land and in the enjoyment of such institutions; and, with all reverence, pray Almighty God that henceforth and 'until the last syllable of recorded time' the United States of America may be without internal strife and that all the States, from ocean to ocean, and from northern to southern boundary, may dwell together in love and unity, and that our flag may forever float on every sea, a world-recognized emblem of power, peace, and freedom.

"My comrades, it is to me a sincere pleasure, as chief executive of this great State, and in behalf of all its people, to extend to you a most hearty welcome * * *."

Music: "America."

Next followed the address of welcome for the city of Dallas by Hon. Ben M. Cabell, mayor of the city.

At the conclusion of Mayor Cabell's remarks, Mrs. Katie Cabell Currie² was escorted to the platform. Simultaneously a Louisiana delegation came forward with a Confederate battleflag and the banner of Winnie Davis Camp. The band struck up the "Bonnie Blue Flag," and the audience gave expression to the enthusiasm of the moment by repeated cheers and the waving of handkerchiefs.

Address of welcome on behalf of the Confederates of Texas by Judge G. B. Gerald of Waco. Judge Gerald's speech was in his own inimitable style. It is too long for reproduction here. Among the other good things he said: "The history of the Confederate soldier, both in war and peace, is a history of which no man can be ashamed. In war he but illustrated the verdict of history that a slaveholding agricultural people make the best soldiers that the world has ever seen; for of these were Leonidas and the Spartans that died in the vale of Thermopylae; of these the Macedonian phalanx and the companion cavalry that turned

²Mrs. Currie was chairman of the Ladies' Committee of the Texas Confederate Reunion Association. At the annual meeting of the United Confederate Veterans in 1901 she, at the request of the Texas delegation, extended to them, in an address applauded to the echo, the invitation to select Dallas as the place for their next meeting.

the tide on so many fields on Alexander's long march to the waters of the Indian sea. It was the Roman legions under whose eagles were planted the first round of the ladder of civilization in so many lands beneath the sun. It made the man of Gettysburg, of whom a Northern writer says: 'The shaping of the history of all future centuries trembled in the balance as the field shook that day beneath the steady tread of the iron men of Lee.' * * * But all these dark scenes have passed away with the dark past that produced them; we have come to our own again.
* * *

Music: "Star Spangled Banner."

Address of welcome on behalf of the Sons of Confederate Veterans, by Hon. W. C. McKamy of Dallas.

In the course of his remarks Mr. McKamy, in paying a tribute to the women of the South, repeated the following beautiful poem:

"Have you heard of those women long nurtured in ease
And free of life's cares as the birds in the trees
Who, with spirits aflame, when the war tocsin pealed
Over valleys and hills, went to toil in the field,
And through heat and through cold, with grim fortitude wrought
In the midst of their slaves, while the patriots fought?

"Through the day at the plow, in the night at the wheel—
What age and what cause ever boasted such zeal?
What hearts were so brave and what hands were so fair
As embroidered those flags in the silence of prayer,
That were destined to dazzle the eyes of the world
E'er they sank without blemish, shot-riddled and furled?

"What perils they braved, and what hardships they bore!
How they struggled and stinted, and fought from the door
The gaunt wolf of hunger that howled evermore!
Yet gave the last morsel of bread from the store
To the famishing army, weak, haggard and white
That, shivering, slept in the trenches at night.

"Or, tender as angels of mercy, they sped
To the scenes of war's carnage, yet blazing and red,
And succored the wounded as mothers would do
For their own, whether clad in the gray or the blue.
And shrouded the fallen and mournfully read,
In the absence of priest, the sad rites of the dead.

"Thus they passed through those harrowing years that have flown,
What tears and what heart-aches may never be known—
Brave women! God bless them and give to them length
Of years, with full measure of joy and of strength!
As they gave to the South, in the day that she strove,
Their loyal devotion, their faith and their love."

Music: "The Girl I Left Behind Me."

Address of welcome for the Texas Confederate Reunion Association, by Hon. W. L. Crawford of Dallas.

Music: "Dixie."

The entire assemblage rose to their feet and cheered for several minutes.

Gen. Van Zandt then announced that owing to a railroad wreck Gen. John B. Gordon had not reached the city, and that he, therefore, turned the command of the camp over to Gen. Stephen D. Lee.

After General Lee had spoken a few moments General Gordon arrived in the hall and, as he walked toward the rostrum, the audience arose *en masse* and welcomed him with prolonged cheering. His reception on the stand was no less cordial.

General Lee introduced the old commander and the audience again cheered itself hoarse.

General Gordon's speech was in response to the addresses of welcome. He said in part:

"Governor, Mr. Mayor, Gentlemen of Committees, and My Fellow Citizens of Texas: How shall I tell you what I think of Texas, of her great hearted people, of her broad prairies, and still broader prosperity? I but poorly express the thought of these veterans when I say that whether we look at her geographically, historically, or sentimentally, Texas is about the biggest thing we ever saw. She can raise cattle enough on her wild lands to furnish all the canned beef for the armies of Uncle Sam, John Bull, and the German empire, and still have fertile land enough, if planted in the fleecy staple, to make more bales of cotton than are now produced by America and Egypt combined; or, if planted in grain crops, to feed every man, woman and child in the Union.

"With such a territory—almost equal to that of the original thirteen states, which threw off the yoke of bondage and wrenched freedom from the greatest of empires, this great commonwealth holds today within its borders a population devoted to those same imperishable principles—a population which, if the occasion should come, would wage another seven years' war in defense of this inherited republic, its flag, its laws, and its regulated liberties.

"In the few moments in which propriety permits me to speak, I dare not trust myself to make more than the briefest allusion to Texas history. I can not survey even the confines of that vast field, made so rich and so inspiring by the great deeds of her martial sons. Indulge me just long enough to say that from her birth, through all her costly experiences as a struggling republic, and through subsequent wars, the sons of Texas, whenever summoned to the sacrifice, have poured out their blood freely on Liberty's altars. From Goliad and San Jacinto, from Buena Vista and Cerro Gordo, from Chickamauga's hills and the shivered rocks of the round-tops of Gettysburg, from the charge of the cowboys and rough-riders up the wire-girdled steeps of Santiago, from every battlefield made memorable by American valor, comes the thrilling answer of Texas to Freedom's call * * *.

"But not only is Texas great historically and great in her geographical expanse, but she can do more in a small space than any other country in the world. As proof, I point you to little Spindletop, where a few acres can pour out of the greasy throats of boiling, thundering gushers oil enough to light every hamlet in the land, and, at the same time, if

the government experiments are successful, oil enough to kill all the mosquitos from the Jersey shore to the Mexican border.

"Again, Texas has the biggest cities of their size in all the universe. Shall I illustrate by naming one? The throbbing heart of every veteran in this assembly has already answered with the name of Dallas, beautiful Dallas, holding now in her loving embrace more people from the outside than she has population inside. And who are these men whom she so tenderly and so lovingly embraces? Why this outpouring of her people? Is some Prince Henry, or some potentate of kingly lineage passing in her streets? There are no Prince Henrys here—no brothers nor kin of the great Kaiser. But there are men here who, to your thought, are greater than princes, grander than potentates. Here are men of the purest and most royal lineage—men in whose veins runs the blood of the founders of this mighty republic, whose mission it is to light up for struggling humanity the highway to freedom. Here are the veterans of the proudest of armies—hoary with age and ennobled by sacrifice, who, by their own individual heroism in the bloodiest of wars, by their self-control and self-reliance through the long crucifixion which followed, have won the admiration of all men who honor manhood and love liberty. In a word, you, my fellow countrymen of Texas, believe, and you have a right to believe, that every soldier who bravely fought in the Confederate army and remained loyal to its memories, as well as loyal to the republic, is a prince in his own right and by his own achievement. You believe, and you have a right to believe, that every gray cap that ever sheltered the head of a faithful Confederate private is a nobler crown than that worn by any potentate on earth.

"But I am trespassing and must close with the affectionate greetings of these soldiers to this great State and glorious city. Our hats are off to both, and so long as life lasts we shall hold you in loving remembrance."

At the conclusion of General Gordon's address, the convention adjourned until 10:30 o'clock the following morning.

The committee on resolutions were instructed to pass, in the meantime, on all resolutions submitted to it for later consideration by the convention.

At noon the Association of Medical Officers of the Army and Navy of the Confederacy met in the council chamber at the city hall.

Dr. H. A. Moseley of Dallas introduced Rev. W. L. Lawrence of Oak Cliff, who opened the session with prayer.

Hon. W. E. Parry, in behalf of Mayor Cabell (who was discharging a similar duty at Albert Sidney Johnston Cantonment, where the main convention was in session), welcomed the surgeons to Dallas.

Dr. C. M. Rosser then delivered an address of welcome and was responded to by Dr. J. B. Cowan of Tullahoma, Tenn.

As no vice-presidents were present, Dr. Cowan and Dr. James M. Kellar, ex-presidents, were requested to occupy the rostrum and act as such.

The report of the secretary-treasurer was then read and received, and, on motion, the meeting adjourned until 9 a. m. the following day.

The Texas division of the United Sons of Confederate Veterans met at 5 p. m. at the city hall.

G. W. Clark of Fort Worth was elected temporary commander and Homer D. Wade of Waco temporary adjutant.

W. P. Lane of Fort Worth was recommended as Texas representative on the committee on credentials at the national meeting to convene at the city hall the following day.

A resolution was adopted endorsing T. P. Stone of Waco, commander of the Texas division, for commander of the National Association of Sons of Confederate Veterans.

The meeting then adjourned after authorizing the State commander to appoint a committee to prepare a constitution and by-laws and submit them to the meeting of the Texas division in July following.

In the afternoon occurred the gorgeous spectacular arrival of Mustapha Ben Selim, Kaliph of Bagdad, who, with his retinue, proceeded to the Oriental Hotel.

Memorial services in honor of President Jefferson Davis were held at St. Matthew's Cathedral, beginning at 10 a. m., Bishop Garrett delivering a noble eulogium upon the character of the great departed chieftain.

In the afternoon the annual convention of the Confederate Memorial Association met at the Cumberland Presbyterian church, corner of Harwood and Commerce streets.

At night a brilliant ball was given in the auditorium of the Albert Sidney Johnston Cantonment by the United Sons of Confederate Veterans, in honor of the sponsors and maids.

The Commercial Club during the evening gave a smoker to visiting newspaper men. Press representatives from New York, Chicago, St. Louis, New Orleans and other cities were in attendance.

It was estimated that there were 114,000 strangers in the city.

SECOND DAY—APRIL 23.

The following was the program of exercises:

10 a. m.: Meeting of the U. C. V. convention at Albert Sidney Johnston Cantonment. Meetings of the United Sons of Confederate Veterans and the Association of Confederate Medical Officers at the city hall.

12 noon: Memorial services at Albert Sidney Johnston Cantonment and of the United Sons of Confederate Veterans and the Association of Confederate Medical Officers at the city hall.

2 p. m.: Meeting of the convention at Albert Sidney Johnston Cantonment, and of the United Sons of Confederate Veterans and the Association of Confederate Medical Officers at the city hall.

3 p. m.: Reception by Mrs. Ellen D. Farris to visiting Alabamians at her home, 190 First Avenue, Exposition Park, near fair grounds.

At 10:50 a. m. Commander-in-Chief John B. Gordon rapped the convention to order.

The Grand Army band played, at General Gordon's call, "Old Hundred," the entire audience rising and singing the familiar hymn.

Rev. J. William Jones, D. D., Chaplain General, delivered the invocation.

General Gordon announced the death of Gen. Wade Hampton of South Carolina, which had recently occurred. "He referred to him," says the Dallas News, "as an example of the noblest type of Southern chivalry. It had been his fortune to know him. It was fitting that the Great South Carolinian had followed the example of his grandfather, who stood with Washington in 1776." General Gordon called on the band to play "Nearer My God to Thee," and the audience, to the accompaniment, sang the anthem.

"General Walker, commander of the South Carolina division, presented resolutions of respect. * * *

"Gen. Stephen D. Lee read a tribute to the deceased, accompanied by further resolutions, all of which were, on motion of Gen. W. L. Cabell, adopted by a rising vote.

"The different States sent up the names of those they had selected as members of the committees on credentials and resolutions.

"Hon. John Allen of Mississippi was then introduced by General Gordon as orator of the day and as one who, although styled 'Private John Allen,' was a most public man.

" * * * Mr. Allen said that he spoke for the privates of the army. Without detracting from the generals and colonels, he said it was the rebel yell that scared the Yankees, and the privates, through sleet and snow, had been kept up at night to keep the Yankees from killing the generals.

"The Southern private soldier, said Private Allen, was the greatest hero the world had ever known, and had been inspired by the noblest and purest women who had ever been created."

His speech largely consisted of characteristic anecdotes, full of pleasant humor.

In paying a tribute to General Hampton, Mr. Allen spoke feelingly of President McKinley, with whom he had served in Congress. "During the Spanish-American war, President McKinley," he said, "had sent for him to go to the White House as he intended appointing Stephen D. Lee to a position in the army; but he (Allen) objected, because, while the services of General Lee and his sword were at the disposal of his country, three Confederates had been appointed major generals, all of whom General Lee had outranked, and he could not sanction such a reflection on the selection which had been made by President Davis, who recognized General Lee's worth and appointed him as one of the most trusted officers of the Confederacy."

Following Mr. Allen's speech were a few remarks by General Gordon, and again by Mr. Allen.

Music: "Rock of Ages."

The hour of 12 o'clock having arrived, Gen. Gordon announced that memorial services in honor of Gen. Wade Hampton were in order.

Invocation by Rev. Dr. Lorrance, chaplain of the Trans-Mississippi department.

Music: "America."

"Dr. J. William Jones, Chaplain General," says the News, "was introduced to the assemblage. He read from manuscript a tribute to Winnie Davis, whom he designated an uncrowned queen. The doctor next paid a glowing tribute to all the famous Confederate leaders who have passed away, and to all the Confederate dead."

"After a musical selection by the band, Gen. Stephen D. Lee was presented to the audience and greeted by applause. He said he wished to place a wreath on the graves of the thousands of brave soldiers who lie in Northern States, and to pay a tribute to the self-sacrificing women who annually decorated the graves of the 28,000 men who had been buried in Northern soil. In his remarks he paid a tribute to President McKinley, and urged the justness of the national government appropriating money for the care of Southern graves."

A recess until 2 o'clock was then taken.

At the afternoon session committee reports were received and acted upon, resolutions adopted, and New Orleans selected as the place at which to hold the next annual convention.

General Behan extended the invitation, and was followed by Mayor Capdeville of New Orleans and Governor Heard of Louisiana. No other city was placed in nomination.

Among the resolutions adopted was one designating June 3 (President Jefferson Davis' birthday) as Memorial Day, to be observed throughout the South for the decoration of soldiers' graves; any State, however, to have the right to adopt a separate day, if it sees fit.

While General Evans was reading the report on Battle Abbey, he was interrupted by General Gordon, who introduced Judge John H. Reagan, the last surviving member of Jefferson Davis' cabinet. "Judge Reagan's reception was one that showed the high regard in which he is held. The entire audience arose and cheered him, but he refrained, on account of feeble health, from responding with a speech.

"General Gordon announced that Judge Reagan had prepared an important historical paper, which would later be read by Gen. Stephen D. Lee."

The reading of the Battle Abbey committee report was resumed and concluded, and the report adopted.

"General Gordon presented the ladies on the platform to the assembly, calling for a rebel yell in their honor, which was given with such a will that the welkin rang.

"The daughter of Gen. A. P. Hill was then called before the audience and greeted with applause.

"A resolution was adopted thanking Marcus J. Wright for his services in the war department at Washington."

Gen. Stephen D. Lee then read Judge Reagan's paper, which was a masterly review of the events that led up to the war between the States, and included a statement of the nature of the compact of union under the Constitution, and a defense of the action taken by the Southern States, based on their considering themselves absolved from articles of association that the other parties thereto had often boastingly violated, declared "a league with death and covenant with hell," and unhesitatingly announced should not be permitted to interpose a barrier to prevent the accomplishment of their will.

On motion of General West all the old officers of the Association surviving were unanimously re-elected, as follows: John B. Gordon, commander-in-chief; C. I. Walker, commander-in-chief of the Army of Northern Virginia, to succeed Gen. Wade Hampton; Stephen D. Lee, commander of the Army of Tennessee, and W. L. Cabell, commander of the Trans-Mississippi Department.

General Gordon said that he had passed the three score years and ten mile post, and had hoped to escape further duty, but would obey the commands of his comrades.

The other officers elected delivered brief addresses acknowledging the honor conferred.

"General Gordon then read a letter from Wm. H. Knaus of Columbus, Ohio, a gallant Federal soldier, who was erecting a monument to the Confederate dead buried there and at Camp Chase. Mr. Knaus requested that Southerners send him flowers for the decoration of the Confederate graves June 7.

"Telegrams expressing regrets for inability to attend the convention came from Gen. Joseph Wheeler at Brooklyn, N. Y.; Gen. Fitzhugh Lee, at San Antonio, and Gen. Wm. B. Bates at Washington.

"Greetings were received from the camp of Confederate Veterans in New York City, and from the Daughters of the Republic of Texas."

E. B. Taylor of Richmond, Va., wired that he had collected an additional \$125 for the Davis monument fund.

On motion, suggested by General Gordon and presented by General Lee, a resolution was adopted by a rising vote thanking Mr. Knaus for his attention to Confederate graves in Ohio.

Mr. Morris of Georgia, who unaided, except by his wife, erected a monument to General Polk and the Confederate dead in his home town, was called to the platform and given a hearty reception. He said that he would be one of one hundred men to give \$100 to the Davis monument fund, or one of fifty men to give \$200 each.

The convention then, at 6:30 p. m., adjourned until 10:30 o'clock the following morning.

The seventh annual convention of the United Sons of Confederate

Veterans held two sessions during the day (forenoon and afternoon) in the auditorium of the city hall, President Houghton presiding.

At the afternoon session W. R. Kivitt of Jefferson Davis Camp No. 175, of Colorado Springs, Colo., said:

"It is with pleasure and especial pride that I appear before you for a moment to bear and deliver unto you a message from one who is dear to the heart of every Southerner—the only living daughter * * * of Jefferson Davis. * * * I refer to Mrs. Margarette Howell Jefferson Davis Hayes of Colorado Springs, Colo., with whose personal acquaintance I am honored. She desired me to express her regrets at not being present and to say Godspeed you in this reunion. * * *"

A committee was appointed to draft suitable resolutions on the death of Gen. Wade Hampton.

Reports of various committees were received and acted upon.

Upon invitation, Hon. Minton Wallace, a Democratic candidate for Congress in Arkansas, delivered an address reviewing the war between the States and describing and eulogizing Confederate leaders. He grew more eloquent as he proceeded and the applause more vigorous, until finally the men present leaped upon chairs and sounded the rebel yell with deafening effect, and the ladies waved their handkerchiefs enthusiastically.

On motion a committee was appointed to inform Judge John H. Reagan that a visit from him to the convention would be much appreciated.

A communication from President Houghton was read and referred to the committee on constitution.

On motion adjournment was had until the afternoon of the following day.

The Kaliph's parade at night was a brilliant spectacle, on the order of mardi gras. The line of march extended through the principal streets and out to Albert Sidney Johnston Cantonment. The procession was reviewed by General Gordon, General Van Zandt, Governor Sayers and other notables from a stand erected for the purpose.

The floats were varied, striking and gorgeous; the kaliph and his retinue worthy to have stepped fresh from the pages of the Arabian Nights Entertainments; the marching military organizations and blaring bands, a martial filling in of the picture, and the whole (illuminated alternately with red, white, blue, and green fire, and passing under arches of glittering electric lights) a pleasing and dazzling phantasmagoria such as few present ever saw before.

Fully 200,000 people (some of them seated on cornices of buildings and cross arms of telegraph and telephone poles) witnessed the pageant.

If the intention was to amuse and delight the old soldiers and other visitors, it was fully realized.

THIRD DAY—APRIL 24.

This was the principal day of the gathering—the day of the Confederate parade.

“The procession,” says the Dallas News, “formed under the direction of Maj. Gen. K. M. Van Zandt, grand marshal, with its head resting on Main and Lamar streets. The line of march was east on Main street to Harwood, north on Harwood to Elm, west on Elm to Jefferson, and on Jefferson into Main, where the parade disbanded.

“The column moved at 10:30 a. m., headed by Chief of Police Winfrey and a squadron of mounted policemen. Next came the Gaston Trumpet Corps of Dallas, First Regiment, T. V. G., immediately followed by the Grand Army band of Canton, Ohio. * * * This band played alternately “Suwanee River,” “Bonnie Blue Flag,” “Dixie,” and “Maryland, My Maryland,” and the climax of enthusiasm was reached when all four tunes were carried at once in perfect harmony by different portions of the band.

“* * * Then came General Van Zandt and his staff.

“* * * In the first carriage rode Miss Katie Daffan, sponsor of the Texas division, and her maids of honor. Immediately behind came General Gordon, commander-in-chief of the United Confederate Veterans, and his staff.

“* * * In the second carriage were * * * Hon. John H. Reagan, postmaster general of the Confederacy; Hon. F. R. Lubbock, war governor of Texas and later aide on the staff of President Davis; Dr. S. H. Stout, who was medical director of the Army of Tennessee, C. S. A., and Gen. T. N. Waul, of Greenville, Texas, who was a brigadier general in the Confederate army.

“In the next carriage as guests of honor were Governor Joseph D. Sayers of Texas, Governor Heard of Louisiana, Lieutenant Governor Estopinal of Louisiana, and Mayor Capdevielle of New Orleans. Members of Governor Sayers’ staff followed in another carriage, and in still another Miss Lucy Lee Hill, sponsor for the South, and her maids.

“Next came the Army of Northern Virginia department, commanded by Lieut. Gen. Irvine C. Walker, with his staff, followed by Carrico’s band. The Virginia division followed (carrying many battleflags), accompanied by its sponsor and her maids of honor. Next were the South Carolina and Maryland divisions, and then the ‘Tar heels’ of the North Carolina division, with their hornets’ nests.

“* * * Dixie Camp, of Lancaster County, S. C., halted several times to salute a picture of General Hampton. * * * This division carried a Confederate flag upon which the picture appeared, and they also bore the scarred colors of the Twelfth South Carolina.

“The Harris Juvenile Band of Dallas had the next place in line, preceding Gen. Stephen D. Lee, commanding the army of Tennessee department, U. C. V., and staff. Then came a carriage containing Miss Haldeiman, sponsor of the department, and her maids of honor. * * *

"The Georgia division had a fine representation in the parade. Among the trophies carried was the Third Georgia's battleflag, inscribed 'From Malvern Hill to Appomattox,' the Fifth Georgia's battleflag, of which but a remnant is left, the flag of the Forty-second Georgia, adorned with a bunch of goobers, and the flag of the Stonewall brigade, Thirty-third Virginia regiment. A feature of this part of the parade was the uniformed Daughters of Camp W. H. T. Walker of Georgia. They were mounted on fine horses and received much applause.

"Next in line was the Alabama division, which had quite a number of carriages in which commanders, sponsors and maids of honor rode. There was also a goodly number on foot, carrying many camp banners.

"The Tennessee division provoked quite a demonstration. At the head rode Maj.-Gen. Walker and staff, followed by sponsors and maids of honor and the Confederate Veterans' Young Men's Uniformed Band of Memphis. Then came several companies of old veterans in the gray jeans uniforms they wore in the '60's. * * *

"* * * They received an ovation that must have done their hearts good. The brigade sponsors and maids of honor were color bearers, and marched on foot with the veterans.

"Gen. Tyree H. Bell, commanding the Forrest Cavalry Corps, rode in a carriage with Miss Donelson, sponsor, and Miss Bell, chief maid of honor, for general headquarters.

"* * * The band of the Fourth Texas Cavalry, Ennis, Texas, preceded the Mississippi division.

"The Louisiana division had an innovation, in that two of the members of Gen. Jastremski's staff were of the gentler sex. These young ladies rode with Gen. Jastremski at the head of the division. They were Miss Lucile B. Hyams of Natchitoches parish and Miss Eliza B. Skipworth of Concordia parish, both of whom held the rank of Lieutenant-Colonel. Among the banners was that of Washington Artillery Company of New Orleans.

"Next in line were the Florida and Kentucky divisions, then the Fourth Texas Infantry Band of Blooming Grove, and the St. Matthews' Grammar School Cadets of Dallas.

"Gen. W. L. Cabell, commanding the Trans-Mississippi Department, and his staff rode at the head of that department, followed by a carriage containing Miss Gaston, sponsor, and Miss Edwards, chief maid of honor. The first division of the department, in line, was that of Missouri. With it marched Col. H. C. Thurston, of Mount Pleasant, who is familiarly known as "the giant," and who measures more than seven feet in height.

"The Arkansas division had a large representation. One of its banners was inscribed, 'We are from Arkansas; now laugh, darn ye.' * * * With this division was the Commercial Band of Fayetteville, Ark.

"Next in line was the Indian Territory division, in which several Indians who served the Confederacy marched. One Choctaw veteran

carried the flag of his tribe. Following was the Oklahoma division.

* * *

"Hella Temple Band of Dallas headed the Texas division. This division was commanded by Gen. C. C. Beavens of Houston. J. J. M. Smith, major and aide de camp on Gen. Van Zandt's staff, commanded the First Brigade. John H. Reagan Camp, of Palestine, was first in line, and it was followed by a fine representation from many camps throughout the State.

"Company B (Dallas), Signal Corps, T. V. G., headed by Gen. A. P. Wozencraft and staff, followed the Texas division.

"Then came the United Sons of Confederate Veterans, with Commander-in-Chief R. B. Haughton and staff leading. The various departments and divisions of this organization were well represented. The young men wore handsome uniforms and most of them were mounted on fine horses. Camp W. L. Cabell, U. S. C. V., of Dallas, brought up the rear. The sponsor and maids of honor of the U. S. C. V. were in a vehicle drawn by four milk white horses. The equipage and the pretty occupants were the subjects of much admiring comment.

"* * * It took this grand procession an hour and fifteen minutes to pass a given point and for that length of time there was an ever increasing enthusiasm.

"* * * The great throng gathered to witness it made Main street, for a distance of a mile, one solid mass of humanity, over which floated flags of fresh beauty and flags that were battle-stained. Bands from which proceeded the strains of the songs of the South, the roll of drums, the fanfare of trumpets, the oft repeated rebel yell, and the cheers and plaudits of the admiring spectators contributed to make the scene one beyond the description of words. Elm street was a duplication of Main. Dense throngs packed the entire line of march. There were cheers for Gordon, * * * cheers for Van Zandt, * * * cheers for Stephen D. Lee, Cabell, Walker, Reagan, Lubbock, and other distinguished men of the South; cheers for Gov. Sayers of Texas and Gov. Heard of Louisiana, and cheers, also, for the pretty sponsors and their maids.

"* * * The old soldiers said it was the finest and largest parade since the war; the spectators said it was the greatest and most imposing spectacle they ever witnessed."

At 3 p. m. visiting Tennesseans were given an informal reception in the auditorium at Albert Sidney Johnston Cantonment by the Texas-Tennessee Society of Dallas, at which speech making was a feature.

Two hundred veterans of Walker's division met at the camp grounds during the day and formed a permanent reunion organization of that division by electing officers.

During the day the London Conservatory gave a concert complimentary to guests in the city, that was well attended.

At their meeting the Confederate Medical officers elected Dr. S. H. Stout president of the organization, and selected other officers.

At their meeting the United Sons of Confederate Veterans elected a Texan, Hon. Thomas B. Stone, of Waco, commander of the order.

At 11 a. m. and 4 p. m. the Grand Army Band gave concerts at Albert Sidney Johnston Cantonment auditorium, complimentary to veterans and visitors.

A day of unalloyed pleasure was fittingly brought to a close by the Kaliph's grand ball in the auditorium at night, where the beauty and chivalry of Texas and many other States enjoyed the pleasures of the dance.

FOURTH DAY—APRIL 25.

Program:

10 a. m., final session of U. C. V. convention in the auditorium of Albert Sidney Johnston Cantonment.

Meeting of the United Sons of Confederate Veterans, at the same hour on the third floor of the city hall; and of the medical officers of the Confederate Army and Navy in the council chamber of the city hall.

Dinner at Albert Sidney Johnston Camp. Six buffaloes, from the Charles Goodnight ranch, were barbecued and served. The feast (one unique in its character, and such as could be furnished in no State save Texas) was enjoyed by thousands, other meats and edibles being also supplied. The largest buffalo weighed 3200 pounds, one 2100 pounds, and another 2000 pounds.

Afternoon: Reception at Carnegie Hall, tendered by Shriners to the veterans.

Prior to the reassembling of the convention, those present organized an impromptu meeting and called comrades to the stand to deliver reminiscent addresses.

At the hour appointed Gen. Gordon called the convention to order and, in the absence of the chaplain, delivered the opening prayer.

Resolutions were adopted thanking General Gordon, commander-in-chief, and Gen. George Moorman, adjutant-general of the Association, for the faithful and efficient discharge of their duties. The response of Gen. Gordon touched the hearts of all.

A resolution introduced by Gen. S. D. Lee was adopted, requesting members to support publishing houses that published literature perpetuating the true history of the Confederacy.

A vote of thanks to the people of Dallas was adopted by a unanimous, rising vote. Col. Slaughter, president of the Reunion Association, was liberally cheered and, in response to calls, delivered a brief but felicitous address, closing with the declaration that at 12 o'clock dinner would be served. Votes of thanks were then extended the railroads and the ladies of Texas.

In concluding the meeting, Gen. Gordon urged every man to go home

and work for the building of a monument to the noble women of the South.

The following resolution offered by Lieut.-Gen. W. L. Cabell was unanimously adopted:

"Resolved, That the thanks of this convention and veterans everywhere are due to Sanger Bros., of Dallas, Texas, for their generosity and liberality in bringing the old heroes from the Texas Confederate Soldiers' Home at Austin, Texas, to this reunion at their own private expense."

The session lasted but a few minutes and at its conclusion those present went to the platform and gave Gen. Gordon an ovation that no man could fail to appreciate.

During the day he issued the following general order. [* * * indicate that parts of the order are omitted.]

"HEADQUARTERS UNITED CONFEDERATE VETERANS,
DALLAS, Texas, April 25, 1902.—General Orders No. 285. * * *
The general commanding desires to express to the * * * people
of Dallas his grateful thanks for the limitless hospitality they have so
graciously and generously extended to the remnant of survivors of the
heroic Southern army, whom he has the honor to command, as well as
to himself.

"He selects this medium to tender his grateful thanks and express
his unbounded admiration for everything which has been done for the
United Confederate Veterans and himself by the noble people of Dallas,
and of Texas, at this most successful reunion. * * *

"2. He desires them to know that he fully understands the magnitude of the gigantic work they undertook * * * and he wants
the world to know that they have cared for and provided for the old
veterans in a manner which has deeply touched their hearts, and which
will leave tender and grateful recollections of the reunion held here.
* * *

"3. He also desires to express his grateful thanks to Col. C. C.
Slaughter, the president; Gen. Charles L. Martin, the secretary, and
to each and every member of the reunion committee, for to their ability,
skillful efforts and untiring and unflagging work is due the unparalleled
success of the reunion. Too much praise can not be bestowed upon the
members of the various committees for their patriotic and unselfish
labors. * * *

"4. The general commanding desires the noble women of Texas to
know that they will never be forgotten for the gracious courtesy and
queenly homage shown by them to the old heroes of the sixties, to whose
care, comfort and fame they have ever been faithful, devoted and true.
* * * Their * * * efforts * * * now are but a repetition
of the patriotic and unselfish * * * affection shown by them
* * * during all the stormy days of war.

"5. He desires to compliment Major K. M. Van Zandt, commander
of the Texas division and chief marshal of the parade, * * * for

the successful manner in which everything under his supervision was conducted. * * * The chief marshal is entitled to the highest commendation.

"6. He especially desires to thank Col. Ben E. Cabell, aide-de-camp upon the staff, and mayor of Dallas, for the unremitting attention he has shown in assisting the old veterans in every way in his power.

"7. There are two other features which have enlisted his highest admiration. * * *

"One is the splendid provision made by this superb committee and the great people of Dallas for the meeting place for the old veterans known as 'Confederate Veteran Auditorium,' * * * with seating capacity to accommodate about 12,000 people, its completeness in every respect and the perfection of its appointments. * * * Also he commends the location, beauty, and adaptability of the vast camp known as 'Albert Sidney Johnston Cantonment,' with its great city of tents, where so many thousands of the old veterans have in comfort and almost in luxury, under the banner of peace again gathered around the camp fires and enjoyed the pleasures and excitement of the tented field.

"The credit for the completeness of all the arrangements connected with the auditorium and cantonment, * * * in which have been sheltered * * * free of expense about 12,000 veterans daily * * * is due to the skill and efficiency of Col. Sydney Smith, the quartermaster-general of the reunion committee.

"The other is the unrivaled management of the commissary department under Capt. June Peak, at what was known as Confederate Veterans' mess hall,' in which about 2500 veterans were seated at table at one time, and at which place was issued to the veterans during the four days of their stay about 5460 gallons of coffee, 1200 gallons of soup daily, 40,000 pounds of bread, 41,000 pounds of meat, aggregating about 85,000 meals in the four days.

"This will give some idea of the limitless hospitality of the great people of Dallas and is proof of the love and affection in which the Confederate veterans are held in this progressive city, thirty-seven years after their arms were stacked and flags were furled.

"8. The general commanding also desires to thank the railroads of the South for the generous treatment they have extended the old veterans. * * *

"9. * * * He also desires to extend his warmest thanks to the press of Dallas * * * and * * * the press of the entire South.
* * *

"By order of

"JOHN B. GORDON,
"General Commanding.

"GEORGE MOORMAN,
"Adjutant-General and Chief of Staff."

Actual figures later showed that 96,704 meals were served, of which a record was kept, and a large number of which no minute was made.

At Mouton's division organization, J. W. Sedberry, of the Fifteenth Volunteer Infantry, Waco, Texas, was elected commander of Polignac's Brigade, and W. F. Blackman, of Alexandria, La., commander of Mouton's Brigade, with authority to appoint regimental officers. R. E. Carter, of Abilene, Texas, was appointed adjutant-general and chief-of-staff, and F. M. Brooks, of Vaughan, Texas, division quartermaster.

The display of Texas products at the offices of the Sunset-Central railway lines, corner of Main and Murphy streets, was much admired. The rice exhibit was superb. Goods from the cotton mills at Itasca, Belton, West, Bonham, Dallas, Corsicana, Waxahachie, and Celeste, were also exhibited, and attracted interested attention. A large amount of printed matter was distributed, and all questions asked about Texas answered.

The Dallas News fairly maintained its reputation as a great newspaper by the thoroughness and merit of its reports of the daily proceedings of the convention and collateral happenings and by issuing (besides its regular numbers) such an illustrated special edition as was never before seen in the State. The contributed articles it contained from Governor Sayers, Judge Reagan and others, and the matter prepared in the office, render it a most valuable repository of facts relating to the war between the States, Texas history, and existing industrial and other conditions in the State.

Col. C. C. Slaughter was ably assisted, among others, by J. E. Farnsworth, vice-president, and the following board of directors: B. E. Boren, Ben E. Cabell, Royal A. Ferris, W. H. Gaston, H. W. Graber, W. C. Padgett, Alex Sanger and Charles Steinman.

"At the meeting of the board of directors yesterday afternoon," says the Dallas News of May 4, 1902, "the reports of Major Sydney Smith, quartermaster; Capt. June Peak, commissary; F. L. Irvine, chairman of the finance committee, and J. C. McNealus, chairman of the press committee, were read and adopted, and votes of thanks extended to each one of these gentlemen for their efficient work."

"To E. Dick Slaughter a vote of thanks was also tendered for the services he rendered.

"On behalf of the directors, Capt. B. E. Boren presented to President C. C. Slaughter a handsome ebony gold-headed cane, inscribed, 'Honor to whom honor is due,' as a testimonial of their appreciation of his services, his great labor and the eminent ability he had displayed.
* * *

At the same meeting President Slaughter read an address to the board of directors, in which he reviewed facts of interest connected with the reunion and by name, or designation, returned his thanks to all persons and agencies that contributed to the success of the undertaking. In this communication he said in part:

"It is impossible to say at this date how many people we had, but

the lowest estimate made at the reunion office is 120,000, and many believe the number was 180,000. Thus you will see that the lowest estimate is twice the number of our inhabitants, and the highest estimate is three to one for every man, woman and child living in and around the city of Dallas.

"The cost of the reunion is approximately \$58,000 in cash, mainly to the city of Dallas and State of Texas. * * * We had several thousand dollars from other States. * * * Including all gifts the amount was over \$75,000."

He says that the ladies under the direction of Mrs. Katie Cabell Currie raised \$5000 and that the directors of the State Fair contributed to the reunion fund half the gate receipts of "Confederate Day" at the fair; thanks Governor Bob Taylor for contributing the proceeds of a lecture delivered at Dallas, and returns thanks to J. F. Zang, Miss Lena Williams, Miss Pugh and the members of the Ladies' Minstrel Club, of Dallas, who gave entertainments to raise part of the money needed, and to the Dallas Commercial Club and to the Toone University and Dallas football teams for contributions, etc., etc., and lays special stress on the good work done by the chairman of the finance committee.

Thus passed the twelfth annual convention of the United Confederate Veterans' Association, one of the most successful and in all respects most enjoyable ever held by the organization.

Whether the future historian (writing when the sequence of the event has long since unrolled itself) shall date the beginning of despotism, or the removal of impeding constitutional principles and social institutions to the full development of national greatness and happiness, from the termination of the war between the States, he will not fail to pronounce the struggle the most fateful ever decided by force of arms, and the ideals, valor, morale, and achievements of the Southern soldier unparalleled in preceding ages and incapable of ever being surpassed.

We may safely leave the glorious past to the future, and content ourselves with laboring faithfully in the present for the preservation and perfection of all that is left of the "government of the fathers," with meeting new duties, and with striving for new goals of national excellence and power.

The noble brave who died for the South are camped in the land of the immortals, where Glory guards their bivouacs with solemn and watchful round. They are Fame's, they are ours! and to our hearts and our children's hearts will be ever dear.

A NOTABLE ADDRESS BY JUDGE REAGAN ON THE CAUSE OF THE WAR BETWEEN THE STATES.

The Houston Daily Post of April 20, 1903, contained the following, telegraphed from Fort Worth, April 19th, and it is here reproduced for three reasons—its historical value, its literary excellence, and as the utterance of one ever true to Texas:

"Today was a memorable event in the history of the local Confederate Veterans, the occasion being an address to the Sons of Confederate Veterans by Hon. John H. Reagan, only surviving member of the Confederate cabinet. Judge Reagan's address was on The Cause of the War Between the States, was delivered in the Christian Tabernacle, and was as follows:

"Comrades, Ladies and Gentlemen: I answer your request for a statement of the cause of the war. It would be pleasant to speak of the heroic valor of the Confederate soldiers, of the skill and intrepidity of their officers, of the patriotism and wisdom of the members of congress who enacted the laws for the organization and conduct of the Confederate government, of the great and patient labor of the Confederate cabinet and their assistants, of the masterly statesmanship, self-sacrificing devotion and sublime courage and constancy of President Jefferson Davis, and of the matchless devotion, services and holy prayers of the women of the Confederacy for the success of the cause in which their fathers, husbands and sons were engaged; but, for the present I must forego the discussion of these interesting themes and call your attention from the glories of the past to the questions of future interest.

"During the war, 1861 to 1865, and ever since there has been a studied, systematic effort on the part of those who were our adversaries to pervert and falsify the history of the causes which led to that war, and the conduct of the war, and to educate the public mind to the belief that it was a causeless war, brought about by ambitious Southern leaders. And it is much to be regretted that this policy has had a large measure of success. This has been brought about largely by the baseless assumptions in acts of Congress, and the doings of the executive department, in the action of State legislatures and of political conventions, the declarations of public speakers, and by the writers in newspapers and magazines.

"It will be the purpose of what I shall say to-day to show the great wrong and injustice done to those who supported the Confederate cause by this systematic falsifying of the great facts of history on this subject.

"In proposing to do this we must recognize the fact that that great war ended nearly forty years ago, and that we are now fellow citizens with those who occupied the other side, living in the same government, under the same constitution, laws and flag and interested as they are in the peace of the country and the welfare of all its people, with no desire to revive the passions and prejudices of the war and with an

earnest wish for the best fraternal relations between the people of the two sections of the country. While this is our earnest wish we can not consent to a perversion of history which would brand the defenders of the Confederate cause as rebels and traitors, and teach that falsehood to our children and to posterity. And we are led to hope that in after times, when the passions of the war have subsided, and when the prejudices engendered by it have died out, that none of the people of this great republic will wish such a stain to be attached to any part of their fellow citizens. However this may be, it is a paramount duty on our part to preserve and perpetuate the real history of the causes of that greatest war of modern times, and these causes are witnessed by the provisions of the constitution of the United States, by the history of the action of the Congress, of the courts of the country, of the messages of presidents, by the acts of the governors and legislatures of States, by declarations of political conventions, in fact, by the political history of the United States down to the time when that political crusade was actively commenced which led up to that bloody conflict. Fortunately for the truth of history, these facts appear in the imperishable records of the Federal and State governments, and in the entire history of this country which preceded the war, and it is to these facts, which can not be successfully controverted, that I shall appeal to-day.

"It has been to a large extent assumed that negro slavery was the cause of that war. This is not strictly true. It was the occasion of the war, but not the principal cause of the war.

"The real cause of the war was sectional jealousy, the greed of gain, and the lust of political power by the eastern States.

"The changing opinions of civilized nations on the subject of slavery furnished the occasion which enabled political demagogues to get up a crusade which enabled them in the end to overthrow, in part at least, the Constitution of the United States, and to change the character of the Federal government by a successful revolution.

"This sectional jealousy was strongly developed at the time of the purchase of the Louisiana territory in 1803. That purchase was bitterly opposed, especially by the people of the New England States, on the grounds of opposition that it would add to the power of the agricultural States, and be opposed to the interests of the manufacturing States, for then, as ever since, they desired to control the policy of the Federal government, and to use it as an agency for the promotion of individual and sectional interests. And in their opposition to this measure they threatened to secede from the Union. This jealousy was still further manifested at the time of the war of 1812, a war which was gone into more for the protection of the shipping interest of the New England States, and for free trade and sailors' rights, than for any other cause. They denounced that war and gave encouragement to the enemies of the United States, furnishing signal lights to the enemy. Their members of Congress, governors of States, their State legislatures and a convention called for the purpose threatened to secede from the Union.

This jealousy again manifested itself when Missouri was admitted as a State, because, as they assumed, it would increase the power of the agricultural States and be against the interest of the manufacturing States. And on like grounds they opposed the acquisition of Texas and of the territory of Mexico, acquired as a result of the war with that country. And in their greed to levy tribute on the South by means of high protective tariffs, they drove South Carolina into nullification in 1831, and an armed conflict was only averted by a compromise reducing the duties on imports.

"Up to 1820 there had been no serious trouble over the question of slavery; as shown by Mr. Bancroft, New England's great historian, in his history of the United States, slavery in some form then existed in every civilized government in the world. It had been planted in the American colonies by the governments of Great Britain, France and Spain, and by Dutch merchants, all of them participating in the African slave trade. And it was defended and justified by the churches and priesthood on the ground that it was transferring the Africans from a condition of barbarism and cannibalism to a country where they could be at peace, learn something of the arts of civilized life and of the Christian religion. And the New Englanders became largely engaged in the African slave trade, and they to some extent, as their history shows, made slaves of the Indians and shipped them off to the West Indies. And African slavery existed in all the colonies at the date of the declaration of independence, 1776, and it existed in all the States except Massachusetts, in 1787, the date of the formation of the Constitution of the United States.

"The question of slavery was first brought seriously into our politics in 1820-1821, when Missouri was admitted as a State. Public opinion in this and other countries began to change on this question, and Great Britain and France abolished slavery in their West India possessions, and the question began to be agitated more extensively in the United States in 1852.

"The great number of immigrants from western Europe made white labor cheap in the Eastern States and slave labor was not regarded as profitable there, and those who owned slaves there sold them to the rice, cotton and sugar planters of the South, where their labor was more profitable. In this way the States which contained a majority of the population of the United States became what was called free States, and the politicians, to secure advantage of the South in legislation, and to secure offices by popular favor, appealed to this sectional majority, and aroused and cultivated hostility to the people of the South because of the existence of slavery in those States. In 1856 the agitation of this subject developed a political party strong enough for a national organization, which nominated John C. Fremont for president and William L. Dayton for vice-president, and this ticket received 114 votes in the electoral college, all from the free States, as against 174 votes for Buchanan and Breckinridge, who were elected. All the Southern States

and the States of Pennsylvania and New Jersey voted for the Buchanan ticket, making nearly a strict sectional division.

"This demonstration of sectional strength caused an increase of aggressiveness of the politicians of the North, and their appeals in favor of the liberty of the slaves greatly fired Northern sentiment and led to the national success of the anti-slavery party four years later when Mr. Lincoln was elected president and Hannibal Hamlin vice-president, by a purely sectional majority. In these appeals to the sentiment in favor of popular liberty no consideration was given to the question of race and the capacity of self-government and for the duties of free men. A reference to the British and French West India islands, in which the blacks have been in a condition of chronic revolution ever since they were set free was calculated to have given pause to a people not blinded by partisan zeal.

"The leaders of that party, including President Lincoln and Mr. Seward, insisted that this country could not remain half free and half slave, and their party leaders proclaimed that there was a higher law than the Constitution of the United States. They claimed that their mission was to liberate the slaves, and without the consent of the Southern States they could only do this by substituting a popular majority of the people of all the States in place of the Constitution with its limitations on the power of the Federal government, and by a revolutionary movement in plain violation of the Constitution.

"Article 1, section 3, of the Constitution recognizes the persons bound to service in defining the free people of the country. Article 1, section 9, of the Constitution provides that the slave trade shall not be prohibited before the year 1808, twenty years after its adoption. Article 4, section 2, clause 3, of the Constitution provides for the return of fugitive slaves escaping from one State and found in another. So it is seen that in this solemn compact between the States and the people of the Union, African slavery and the right of property in such slaves was recognized and protected. In bringing to your view these great facts I am not doing so for the purpose of saying that slavery was right or wrong in itself, or for the purpose of condemning those humane feelings which favored abolition. And I say for myself, and I think I speak the sentiments of the great body of Southern people, that I would not restore slavery if I had the power to do so. I am calling attention to these facts to show that the unconstitutional and revolutionary methods adopted by Republicans to secure its abolition, involving as it did the breaking up of the social and industrial system of fifteen States of the Union, the confiscation of \$3,000,000,000 worth of what the Constitution and laws held to be property, the risk of a war, then feared by the Southern people, the sacrifice of hundreds of thousands of human lives, the making of countless widows and orphans, and the sacrifice of many billions of dollars worth of property, attended with all the suffering and horrors of the greatest war of modern times.

"When the American colonies came to be formed into States, as the

result of the revolutionary war, warned by the oppressions and denial of rights imposed on them by the crown of Great Britain, each of them accompanied their State constitutions with a 'bill of rights' in which it was declared that the people possessed certain inalienable rights of which they could not be deprived, which they specified, so when the American people came to form the Constitution of the United States, animated by the same jealousy of the unlimited power of government, they created a government with delegated and strictly limited powers only, and for greater security for their liberty and rights they provided that the powers not therein delegated were reserved to the States and to the people respectively. The Federal government was given jurisdiction over questions of a national and those of an interstate character, while the States retained jurisdiction over all local questions and domestic institutions. This is the authority for the doctrine of State rights. Slavery was from the first treated by all the States as a domestic institution, to be controlled or disposed of as each State might choose for itself.

"And this is the reason why the Northern States abolished slavery without asking the sanction of the Federal government.

"And when the people of the Northern States commenced their crusade for the abolition of slavery by the numbers and powers of their people, where slavery did not exist, and in the States where it did exist, without their consent, they commenced a revolution in distinct violation of the Constitution and laws, they made themselves a lawless, revolutionary party, and became rebels against the government of the United States, and when they levied war to carry out their policy they became traitors. But the minority could not try and punish the treason of the majority. Their pretense was that they were fighting to save the Union, and they made thousands of honest soldiers believe they were fighting for the Union. Their leaders knew the Union rested on the Constitution, and that their purpose was to overthrow the Constitution. The Union the soldiers fought for was the Union established by the Constitution; the Union the leaders sought was only to be attained by the subversion of the Constitution, the annulment of the doctrine of State Rights, the making of a consolidated republic, abolishing the limitations prescribed by the Constitution, and substituting a popular majority of the people of the whole Union in their stead, and to open the way for individual and corporate gain through the agency of a centralized government.

"In the face of these great historic truths that party has habitually and constantly charged that the war was causeless, and brought about by ambitious political leaders of the South, and that the Confederates were rebels and traitors. Can any one conceive of a greater departure from truth or of a more audacious attempt to falsify history? And that, too, in the face of the Constitution and laws, in the face of the imperishable public records of the country, and of the public history of their own actions?

"I have thus endeavored to give some of the facts and reasons which justified the Southern people in attempting to withdraw their allegiance

from a government openly hostile to the rights of their States and people in order to form for themselves a government friendly to those rights.

"Our people were not responsible for the war; it was forced on them. They were not rebels or traitors. They simply acted as patriots defending their rights and their homes against the lawless and revolutionary action of a dominant and reckless majority."

GENERAL LEE'S BIRTHDAY.

The following resolution, introduced by Senator Savage, was adopted by the Texas Senate January 15, 1903:

"Whereas, The Daughters of the Confederacy, in their merited, trustworthy and unfaltering zeal in building monuments of fond memory over the graves of our illustrious dead, desire to celebrate the anniversary of the birth of Gen. Robert E. Lee; and

"Whereas, It is the sense of the Senate of the State of Texas to encourage, aid and uphold in any reasonable way these noble workers, representing pure Southern patriotism; therefore, be it

"Resolved, That the Senate Chamber be set aside for their use for the purpose above named on the evening of January 19, 1903, and that this resolution is an expression of our sympathy and great esteem for them in their work; provided, the desks, seats and tables of the Senate shall not be disturbed."

January 17 the Speaker directed that the following communication be read to the House:

"AUSTIN, January 17, 1903.

"Hon. Pat. M. Neff, Speaker of the House of Representatives:

"Dear Sir.—At two o'clock on Monday, the 19th inst., Albert Sidney Johnston Chapter, United Daughters of the Confederacy, will meet in the Senate chamber to celebrate the anniversary of the birth of Robert E. Lee. The members of the House of Representatives are cordially invited to be present upon that occasion. Mrs. Roberdeau, Mrs. Troupe, Mrs. Giles, Committee."

On motion of Mr. Bridgers, the invitation was accepted, and on motion of Mr. Fowler, the chair appointed a committee to return thanks for the invitation and notify the representatives of Albert Sidney Johnston Chapter of its acceptance.

Accordingly, the afternoon of the 19th, an interesting program, arranged by Albert Sidney Johnston Chapter, was observed in the Senate chamber, under the direction of that organization and John B. Hood Camp of United Confederate Veterans.

Capt. W. H. Richardson, commander of the Camp, presided.

On the platform were seated Governor Sayers, Hon. John H. Reagan, ex-Gov. F. R. Lubbock, Speaker Pat Neff, and Rev. R. K. Smoot.

The invocation was offered by Dr. Smoot.

The orchestra from the Institute for the Blind rendered a musical selection.

This was followed by "Old Folks at Home," sung by Mrs. D. H. Caswell, Jr.

Judge Reagan then delivered a short address, in which he told much of interest that he remembered in connection with his personal relations with General Lee, and eulogized the moral worth and military genius of the great commander.

Mrs. Hardy, president of Albert Sidney Johnston Chapter, spoke for a few moments about the work of the Chapter and its efforts in behalf of the old soldiers.

Mrs. H. E. Baxter rendered an exquisite vocal solo.

Next occurred the principal event of the occasion, the presentation of crosses to ex-Confederate Veterans. As their names, eighty-three in all, were called, a cross was pinned upon the breast of each by Mesdames Giles, Wilson, and F. W. Smith and Miss Clara Sterzing.

The exercises concluded with a song, "Old Kentucky Home," rendered by Miss Ada Louise Bell, and an instrumental selection by the orchestra.

The crosses are of the Maltese form, and made from the bronze cannon metal of the gun that fired the first shot upon Fort Sumter—a shot that reverberated through the land and began the war between the States.

On one side on the four arms of the cross (a word on each) is inscribed, "Southern Cross of Honor," and in the center, surrounded by a wreath of laurel, "Deo Vindici. 1861. 1865." On the other is inscribed the words "United Daughters Confederacy," on the upper and right and left arms, "To the U. C. V." on the lower arm, and in the center is engraved a Confederate battle flag in a wreath of laurel.

This tribute to the aged soldiers who once wore the gray, is one of the beautiful and touching incidents of our time; the emblem, itself, a veritable "cross of honor," before whose modest lustre the glittering orders and insignia of every other land pale and fade, in our estimation, until they seem of little worth.

TEXAS SOLDIERS IN THE CONFEDERATE SERVICE.

At the instance of Hon. Elihu Root, Secretary of War, the following paragraph was incorporated in the appropriation bill of Congress, approved February 25, 1903:

"That under the direction of the secretary of war the chief of the record and pension office shall compile, from such official records as

are in the possession of the United States and from such other records as may be obtained by loan from the various States and other official sources, a complete roster of the officers and enlisted men of the Union and Confederate armies."

Whereupon, Hon. Elihu Root, Secretary of War, wrote to Gov. S. W. T. Lanham, under date of March 16, 1903, requesting the loan of such records in the possession of the State and of such as could be secured by the Governor, or any official appointed for the purpose, from patriotic societies, memorial associations or private individuals, and stating that express charges would be paid by the War Department, and that the work of making copies and preparing the manuscript for publication would be under the immediate charge of Brigadier General Ainsworth, chief of the record and pension office of the War Department.

Governor Lanham replied under date of April 17th, saying that the pressure of business incident to the legislature being in session had prevented earlier action upon his part, but that a search through the Texas departments was being made and as soon as all records therein could be found and arranged they would be promptly forwarded.

All records found in the State archives having been collected and arranged, they were forwarded to the Secretary of War by Governor Lanham April 28th, with an inventory, and with a letter in which the Governor said: "I respectfully designate, in pursuance of your suggestion, Thomas Scurry, Adjutant General of Texas, as a suitable person with whom to conduct any further correspondence on the subject."

The whole inventory of documents sent consisted of the muster rolls of only about twenty-five regiments, two or three battalions and thirty-three detached companies. There should have been more than three times that amount. Much of the loss is doubtless attributable to the burning of the Capitol in 1881. Adjutant General Scurry promptly issued the following circular to aid in the collection:

"The Adjutant General respectfully requests any historical or memorial association, public or private library, or private citizen, who may have original Confederate muster rolls of troops that went into the civil war from Texas to forward same to him at Austin, or to the Secretary of War at Washington, for the purposes indicated."

**CONFEDERATE HOME.
AUSTIN.**

J. Q. Chenoweth, Superintendent; took charge of the institution March 17, 1903; salary \$1500 per annum, board for himself and family not to exceed \$500 a year, and, in addition thereto, fuel, water, lights, and housing.

Total appropriation for the support of the institution for the two years ending August 31, 1905, \$138,614.

The annual reports of the board of managers and superintendent, submitted to the Governor September 1, 1902, show the institution to be in good condition.

On that date there were 304 inmates. The number September 1, 1901, was 262. The total new admissions during the year were 87, discharges 12, and deaths 33.¹

In his report the superintendent states that he had on file 76 applications for admission, but they could not be acted upon favorably, as the institution is filled to its capacity. Continuing, he says: "There is a clamor all over the State by the old soldiers to abandon the pension and come to the Home. They all claim that the pension is too small for them to live on. At least one-half of the applications in this office are from men whose names are on the pension rolls. * * *

"* * * The only thing to be done on this line by the legislature is to continue to make appropriations of funds to make room for the large numbers appealing for help * * *.

"If the State had 400 or 500 acres of smooth, tillable land, many of the inmates would cultivate from one-half to two acres of land in vegetables, which they could sell to the Home, * * * furnishing employment and a little pocket money to those able and disposed to work.

"* * * The Twenty-seventh Legislature appropriated for the maintenance of the Home only \$35,000. This was wholly insufficient, so that on May 1, 1902, by order of the board, and with the approval of the Governor, we took a deficiency for \$12,000 for maintenance, \$500 for hospital and \$500 for urgent repairs needed on the place. * * * I think we will be able to get through on a little less than \$11,000—possibly \$1000 less.

"* * * The Twenty-seventh Legislature appropriated for new buildings and improvements \$10,000, to be expended in two years. With this we have erected a new dining hall, capable of seating three hundred men, 45 feet by 80 feet in the clear, two stories high, the upper story consisting of twelve bed rooms, accommodating three men each."

He then calls attention to other improvements, repairs, and the need for more hospital room and for a heating plant, saying, in the latter connection: "I do not think its cost would be over one-half the present cost of fuel. We have just received 400 tons of coal, at \$5.35 per ton, a total of \$2,140. In addition to this, buying new stoves and repairing old ones is very expensive. The danger of fire would be greatly lessened. Friction between the inmates would also be avoided. Some insist on very hot fires in their rooms, while others object to a high temperature."

The total appropriations for the support of the institution asked for

¹ For a history of the institution and list of those who have served as superintendent and dates of their terms of service, see the "Year Book for Texas for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

by the board of managers and superintendent were: For the year ending August 31, 1904, \$102,538, and for the year ending August 31, 1905, \$85,238, an aggregate of \$187,776.

CONFEDERATE PENSIONERS.

To the number of pensioners on the rolls September 30, 1902, 7080, there were added April 1, 1903, 237, whose applications had been approved, making a total of 7317 pensioners. From death and other causes between September 30, 1902, and April 1, 1903, the number was reduced to 7108. In making the apportionment April 1, 1903, allowance was made for death on the basis of the mortality tables of the leading life insurance companies, and to the appropriation of \$100,000 for the two quarters beginning April 1st and ending September 30, 1903, was added an unexpended balance accumulated since October 1, 1902, which enabled the Comptroller, notwithstanding the increase in the number of pensioners, to make an apportionment of \$7.50 for the quarters beginning April 1 and July 1, 1903.¹

HISTORY AND DESCRIPTION OF THE MONUMENT IN THE CAPITOL GROUNDS TO THE CONFEDERATE DEAD.

It is owing to the patriotic efforts of John B. Hood Camp, United Confederate Veterans, that this noble monument has been erected.

The Camp secured a charter of incorporation and organized at Austin November 28, 1884, for the purpose of raising funds and establishing a home for disabled and indigent ex-Confederates.

This object was accomplished, and the Home in 1891 transferred to the State. The Camp surrendered merely the buildings and grounds constituting the institution, and retained realty and money aggregating in value more than \$20,000. The first idea was to use this fund to aid necessitous ex-Confederates who, for one cause or another, could not be admitted to the Home; but, on reflection, it was decided that very little good could be accomplished in that way, and the Camp formally determined to expend the means at its disposal in the erection of a monument.

¹ See article entitled "Twenty-eighth Legislature," elsewhere in this volume, for amount appropriated for Confederate pensions for the two years ending August 31, 1905, and also for a proposed amendment to the Constitution providing for an increase of the amount to \$500,000 a year.

In July, 1899, a contract was entered into with Frank Teich, of San Antonio, for its construction at a cost of \$15,450, the statues to be of granite. The board appointed to have supervision of the work was not pleased with the first granite statue made, and the contract was modified so as to provide for bronze statues, at an additional cost of \$4,000. Mr. Teich then sent to New York City for a skillful sculptor, P. Coppini, who went to San Antonio, made the plaster casts, and then proceeded to Philadelphia, Pa., where he superintended the casting.

The statues are seven feet high, with the exception of that of Mr. Davis, which is seven feet nine inches, and all, save his, were made from living models, selected, dressed, armed and posed by the board. The statue of Mr. Davis was designed from a photograph and in accordance with suggestions made by Gen. Henry E. Shelley, who knew him intimately and remembers vividly his appearance. As Coppini worked General Shelley looked on, and if a feature, a line, imparted expression, or the poise of the head did not accord with his recollection, told the artist, who soon made the change, and in the end produced in plaster a figure that fully met General Shelley's views, and that all who knew the great chieftain of the Confederacy and who have seen it, pronounce a perfect likeness.

General Shelley speaks in terms of unstinted praise of the artist. "We made," says General Shelley, "the final payment to Mr. Teich, April 6, 1903, leaving the camp with little, if any, more than \$50 in its purse.

"He constructed the base the statue stands on and carved the inscriptions with no assistance other than suggestions made by the board."

The personnel of this board underwent numerous changes from the time of its creation to the successful termination of the labors assigned it. General Shelley and, perhaps one or two others, served with it from the beginning. Its membership at the time of the completion of the work and the unveiling was as follows: Henry E. Shelley, president; Fred Carleton, Geo. W. Littlefield, Joel H. B. Miller, N. L. Norton, J. S. Pannell, L. P. Sieker, E. B. Carruth, and W. H. Richardson, (ex officio).

The monument stands to the right and some distance to the north of the main south entrance to the capitol grounds and, with the exception of the statues, is of beautiful gray granite, quarried near Llano. The bottom line (from which rises three steps) is twenty-four feet square. The first base is eight feet square and has engraved on it the Confederate seal and the words, "Erected by Surviving Comrades." The die, or middle block, has a large panel (nine by five feet), on all four sides of which are heavily molded and projecting pilasters from the corners. The front panel has the following inscription, which, with the one already quoted, can be easily read with the unaided eye by passers along the main central walk (a few feet distant to the west) leading north to the capitol:

"DIED**"FOR STATE RIGHTS**

"Guaranteed Under the Constitution.

**"The People of the South, Animated by the Spirit of 1776, to Preserve
Their Rights**

**"Withdrew from the Federal Compact in 1861. The North Resorted to
Coercion.**

**"The South, Against Overwhelming Numbers and Resources, Fought
Until Exhausted.**

"During the War There Were 2257 Engagements.

"In 1882 of These at Least One Regiment Took Part.

**"Number of Men Enlisted: Confederate Army, 600,000; Federal
Armies, 2,853,132.**

"Losses from all Causes: Confederate, 437,232; Federal, 485,700."

The other three panels give the dates of the most important land and naval battles.

The die is surmounted by a cornice, and above the cornice are four pedestals (one at each corner), on which stand statues representing the four branches of the Confederate service—an artilleryman, a cavalryman, an infantryman, and a sailor.

In the center of the monument and rising to a still greater height is a larger pedestal on which stands a statue of President Jefferson Davis represented in the garb of a civilian. On this pedestal are four panels giving the names of the States of the Confederacy and the dates upon which they seceded from the Union. The statue of Mr. Davis faces the west, and the reader, after perusing the main inscription, will instinctively look up at the commanding, heroic form above him, a personification of the Genius of the Confederacy, its faith, its intelligence, its enlightened appreciation and love of liberty, its lofty purpose, its dauntless courage, and its inflexible iron will.

UNVEILING CEREMONIES OF THE CONFEDERATE MONU- MENT IN THE CAPITOL GROUNDS.

The unveiling took place during the afternoon of April 16, 1903. Elaborate preparations were made for the event. A speaker's stand was erected on the west side of the central walk and immediately facing the statue of Mr. Davis, and seats constructed for the accommodation of the multitude expected. The hall of the House of Representatives was elaborately and beautifully decorated with evergreens, flowers, and Confederate flags, and made ready for the concluding exercises at night.

Lieut.-Col. G. A. Wheatley was marshal of the day and was ably

assisted by his aides, H. P. Haldeman, chief-of-staff; H. E. Baxter, H. M. Metz, J. S. Pannell, L. P. Sieker, and J. G. Booth.

Thousands of people (from all parts of Texas) came solely to witness the ceremonies, and a large number for that and the added purpose of attending the meeting of the Grand Commandery of Knights Templar, then in session. An immense throng filled the sidewalks on Congress avenue shortly after noon, and when the parade occurred, waved countless tiny Confederate flags and shouted itself hoarse as the column swept up the broad thoroughfare with the steady tramp of the veterans of a by-gone day and to the stirring strains of music that thrilled many a time the boys in gray in camp, on the march, and as they rushed resolutely to the charge on hard-contested fields.

At 1:30 p. m. the various organizations and military bodies gathered at the posts assigned them on Fourth and Fifth streets. An hour later the procession marched up the avenue to the capitol grounds, in the following order:

1. Platoon of police, headed by Chief of Police Harry Montgomery.
2. Marshal of the day and staff.
3. Beaserer's band.
4. John B. Hood Comp, U. C. V.
5. Carriages containing persons of distinction, in the following order: First carriage, Maj. G. W. Littlefield, Hon. John H. Reagan, ex-Gov. F. R. Lubbock, and Col. J. H. B. Miller. Second carriage, Mrs. Katie Cabell Currie, of Dallas; Mrs. Rosine Ryan, of Houston; Hon. W. H. Gruber and Miss Gruber. Third carriage, Mrs. Cone Johnson, of Tyler; Mrs. Mitchell and Miss Anna D. Giles, of Austin, sponsor for the camp. Fourth carriage, Miss Mabel Pumphrey, of Taylor; Miss Ella Horton, of Austin; Miss Ruth Love, of Austin, and Miss Giles, of Manor, maids of honor to the sponsor.
6. Veterans from the Confederate Home.
7. Confederate veterans from other cities.
8. United Sons of Confederate Veterans.
9. Governor's Cadets, Scurry Huzzars, and Austin Rifles, T. V. G.

The huzzars wore fatigue uniforms and were mounted and equipped as if for the field.

10. Austin Fire department, with trucks handsomely adorned.
11. Knights Templar.
12. I. O. O. F.
13. Knights of Pythias, Uniform Rank.
14. Grand Army of the Republic Post.
15. Red Men.
16. Several hundred students of the University of Texas.
17. Woodmen of the World.

The following program was observed at the grounds:

1. "Assembly" bugle call.
2. Invocation by Rev. H. M. Sears.

3. Song, "Tenting on the Old Camp Ground," rendered by the choirs of several churches, the audience joining in.
4. Unveiling of the monument by Misses Bessie Orr, Christine Littlefield, Nina Richardson, and Bessie Robertson. The young ladies were beautifully attired in white. They pulled a cord that held the canvas covering in place, causing it to fall away. The unveiling was entrusted to Albert Sidney Johnston Chapter, U. D. C., and was under its direction.
5. Presentation of the monument to John B. Hood Camp by Gen. Henry E. Shelley, president of the board.
6. Acceptance of the monument by W. H. Richardson, commander of John B. Hood Camp.
7. Dedicatory oration by Gov. S. W. T. Lanham.
8. "Dixie," by the band.
9. Presentation of distinguished visitors.
10. Short address by Hon. John H. Reagan, ex-postmaster-general of the Confederacy.
11. Short address by ex-Gov. F. R. Lubbock, war governor of Texas, and later aide-de-camp on the staff of President Davis.
12. Address to the United Daughters and United Sons of the Confederacy, by Hon. Yancey Lewis, member of the faculty of the University of Texas.
13. Unfurling of the Confederate flag by Miss Marie von Rosenberg, daughter of the late Maj. William von Rosenberg, of Austin.
14. Air, "Bonnie Blue Flag," by the band.
15. The following young ladies representing the States of the Confederacy (the names printed upon ribbon and attached to their snow-white dresses), marched around the monument, escorted by members of the Texas Volunteer Guard and United Sons of Confederate Veterans' organizations, and placed wreaths and flowers upon it: Miss Marie Graham, South Carolina; Miss Beatrice Vining, Mississippi; Miss Louise Walton, Florida; Miss Nellie Sterzing, Alabama; Miss Mamie Sieker, Georgia; Miss Rosalee Barrett, Louisiana; Miss Bessie Hutchings, Texas; Miss Ethel Massie, Virginia; Miss Bessie Caperton, Arkansas; Miss Imogene Fulmore, North Carolina; Miss Sallie Belle Weller, Tennessee; Miss Dora Thornton, Missouri; Miss Ouida Norton, Kentucky; Miss Grace Troupe, Maryland.
16. Benediction by Rev. R. J. Briggs.
17. Three volleys by infantry.
18. "Taps," bugle call.

"Judge Reagan stated," says the Statesman, "that he did not know until the day before the unveiling that he would be expected to deliver an address." Nevertheless he made a strong and patriotic speech in defense of State rights which was heartily appreciated.

"Ex-Governor Lubbock was next introduced. He said that the exer-

cises incident to the unveiling of the Confederate monument were the most gratifying which he had witnessed for many years, and he had prayed the Almighty to spare him to see this day—the unveiling of the statue of his revered chieftain. He was delighted to see the grand work of perpetuating the Confederacy taken up by the sons and daughters of the Confederacy and the Southern cause. He declared one thing which grates on his ear is to hear some one say that ‘we fought for what we considered was right.’ We fought for what we ‘know was right,’ declared the speaker.

“He spoke glowingly of ex-President Davis and his life as a man and a patriot, and his strict adherence to the constitution. Governor Lubbock was one of the trusted aides of the president of the lost cause, and he told of how he went to him when requested to do so. When he had finished his speech, the exercises were brought to a close.”

On the stand were Governor Lanham, Judge Reagan, ex-Governor Lubbock, Major Littlefield, Captain Richardson, Attorney T. W. Gregory, Judge Yancey Lewis, Major E. B. Carruth, and other members of John B. Hood camp, and distinguished Confederate veterans.

In its account of the proceedings, the “Austin Daily Statesman” says:

“The Governor’s speech, although brief, was very eloquent. The Southern cause is a favorite theme with Governor Lanham, as he was one of the bravest of the southern sons who fought for what they believed, and still believe, is right. The Governor, whenever he makes a speech on the Confederacy, never fails to evoke the patriotism of those within the hearing of his voice. He paid a glowing tribute to the memory of President Davis, whom he characterized as a soldier, patriot, statesman and gentleman. He declared that his memory would always be revered and honored. He told of the valor of those heroes who fought for a principle. The people of the South should never lose an opportunity to do honor to President Davis and the other gallant soldiers of the South for the heritage which they left to posterity, which is rich in deeds of valor and heroism.

“The Governor was frequently interrupted with outbursts of applause by those who heard him. On account of the large crowd it was impossible to hear except by those who were seated near the speaker, notwithstanding the fact that Governor Lanham was in fine voice.

“During the course of his speech, the Governor pointed directly at the statue of President Davis, and eloquently exclaimed: ‘I salute thee!’ and he then saluted the four other figures representing the four branches of the service—the infantry, cavalry, navy and artillery. This was done so eloquently that it brought forth a mighty shout of applause from those present. The Governor concluded by declaring that, if he ever heard any one abusing President Davis or the noble cause he championed, he would first remonstrate with him, and if that did not suffice, he would feel sorely tempted to strike the offender with a shillalah. This caused another outburst of applause.”

A large assemblage gathered in the hall of the House of Representatives at night and listened to speeches by Judge Reagan and ex-Governor Lubbock. Judge Reagan was introduced by Col. Joel H. B. Miller.

UNITED DAUGHTERS OF THE CONFEDERACY.

BY MRS. Z. T. FULMORE.

The seventh annual convention of the Texas Division, United Daughters of the Confederacy, was held with the Julia Jackson Chapter in the Christian Tabernacle at Fort Worth, December 2d, 3d and 4th, 1902.

In the absence of Miss Adelia A. Dunovant, of Houston, president of the Division, the first meeting was presided over by Miss Mary J. Lane of Marshall, fourth vice-president; all succeeding meetings were presided over by Mrs. A. R. Howard of Palestine, second vice-president.

An address of welcome was delivered by Rev. J. S. Meyers, pastor of the Christian church of Fort Worth, which was followed by a welcome from Mrs. L. J. Clayton, president of the Julia Jackson Chapter of Fort Worth, and responded to by Mrs. Kate Gerald Weaver, of Waco.

The president announced in her message that the contract for the erection of the Albert Sidney Johnston monument, over the grave of that distinguished soldier in the State Cemetery at Austin, had been let and signed by the board, the contract being awarded to Miss Elisabet Ney, the well known sculptor of Austin; that the contract would be filed in the Department of State, and therefore accessible to all who may wish to see its contents. She also reported that the Texas quota for Marietta, Ga., cemetery fund had been paid, and that eighty-seven Texas soldiers are buried in the Confederate cemetery at that place.

Mrs. A. V. Winkler, State regent of the Confederate Museum at Richmond, Va., reported placing in the Texas room the portrait of ex-President Mrs. Benedette B. Tobin.

The Secretary, Mrs. B. F. Eads, reported one hundred and ten organized chapters in the State, a membership of five thousand nine hundred and eighty-five, with two hundred and eighty-three votes—two hundred and twelve delegates being present. The first convention, 1896, reported seven chapters and less than five hundred members. By comparing these figures with those of the last convention the rapid growth of the U. D. C. in our State will be fully appreciated, and Texas still proudly claims the distinction of having the largest division of any State.

The historian, Mrs. S. H. Watson, of Waxahachie, reported increased interest in all literary and historical work. The literary feature introduced by her was so much enjoyed that a motion by Mrs. A. C. Johnson

was adopted making the same a permanent feature for all future conventions.

On motion of Mrs. Mollie Magill Rosenberg, of Galveston, the 8th of October, the birthday of Hon. John H. Reagan, the only surviving member of the Confederate cabinet, was made an additional Honor Day on which the chapters of the Texas Division can bestow on Confederate soldiers crosses of honor.

Mrs. John H. Reagan and Miss Adelia A. Dunovant were elected honorary presidents of the Association. Mrs. Sydnor, of Houston, and Mrs. A. C. Johnson, of Corsicana, were appointed members of the Winkler fund committee, with Mrs. Melissa F. Hardy as chairman. A resolution was adopted favoring the enlargement of the Confederate Home at Austin, and since the convention the old veterans have been the recipients of many comfortable rocking chairs from different chapters throughout the State.

Mrs. Rosenberg offered the following: "That the Texas Division U. D. C., in convention assembled at Fort Worth, Texas, requests Gen. John B. Gordon, commander-in-chief U. C. V., and Thomas B. Stone, commander-in-chief U. S. C. V., to recommend to all camps of Confederate Veterans and Sons of Veterans, wherever organized, that all sponsors and maids of honor be appointed from the association of the United Daughters of the Confederacy," which was unanimously adopted.

Committee reports submitted on the second day of the convention showed a great deal of good work completed and in contemplation. Interesting programs were observed on each of the three days. Houston was selected as the next place of meeting.

The following officers were elected for the ensuing year:

Mrs. Cone Johnson, of Tyler, president; Mrs. Seabrook W. Sydnor, of Houston, first vice-president; Mrs. B. F. Eads, of Marshall, second vice-president; Miss Kate Daffan, of Ennis, third vice-president; Mrs. S. A. Buchanan, of Dallas, fourth vice-president; Mrs. W. P. Lane, of Fort Worth, secretary; Mrs. Wharton Bates, of Houston, treasurer; Miss Mollie Connor, of Eagle Lake, registrar, and Mrs. S. H. Watson, of Waxahachie, historian.

GRAND ARMY OF THE REPUBLIC.

The eighteenth annual encampment of the Texas division of the Grand Army of the Republic convened in Turner hall, at Dallas, April 14, 1903, and was called to order by Commander C. C. Haskell.

Before going to Turner hall an informal reception was held in the parlors of the Oriental hotel, at which the delegates were introduced to Gen. Fred D. Grant, U. S. commander of the military department of Texas. With General Grant at their head, they then marched to

the hall, where he delivered an address of about forty minutes' length, in the course of which he recounted some of his experiences during the war between the States as a lad of twelve, and while accompanying his father. A brilliant reception was held at the Oriental that night.

The Woman's Relief Corps, Department of Texas, held a meeting at Maccabees hall at the same time the Union Veterans were in session.

On the 15th the meeting of the G. A. R. was called to order by Commander Haskell, after which Chaplain Crowell offered a prayer.

Reports from the department and other officers were read and referred to the committee on reports. They were afterward received and approved. The reports showed that the organization is in good condition as regards finances and membership.

The following officers were elected: John H. Bolton, San Antonio, department commander; R. F. McCormick, Dallas, senior vice department commander; W. Z. Manchester, Fort Worth, junior vice department commander; L. S. Whittaker, San Antonio, medical director; T. K. Crowell, Denison, chaplain.

Memorial resolutions upon the death of John Roach, Dublin, past department commander, and upon the death of E. G. Rust, Houston, historian and custodian, were adopted.

There was some discussion relative to the good a uniform pension law would accomplish.

A resolution was passed against advertising programs on Memorial Day.

The meeting of the W. R. C. was called to order at 9 a. m. Department Commander Mrs. Mary Tygard and Secretary Mrs. E. A. R. Wil-liams.

The following officers were elected: Mrs. Julia Tabor, Dallas, department commander; Mrs. Mary J. S. Underhill, Beaumont, senior vice department commander; Mrs. Virginia Downing, San Antonio, junior vice department commander; Mrs. Anna Heelan, Dallas, treasurer; Mrs. Rebecca T. Edmondson, Sherman, chaplain.

The following ladies were elected members of the executive committee: Mrs. A. Smith, San Antonio; Mrs. Maud Green, Houston; Mrs. Rosa Roth, Dallas; Mrs. R. E. Lacy, Corsicana. Mrs. P. B. Hunt, Dallas, was elected delegate at large to the national encampment to be held August, 1903, at San Francisco, and Mrs. Ella Gerrard, Austin, alternate. As delegates to the same place Mrs. Emma Dunlap, Dallas, and Mrs. M. Gonterman, Houston, were selected.

On the 16th the G. A. R. encampment closed at night with a big camp fire at Turner Hall, which was attended by 200 delegates and visitors. An address of welcome was delivered by P. B. Blunt, and an interesting program observed. Delegates to the National convention at San Francisco in August, 1903, were elected as follows: J. Weiler and William Harvey, delegates at large, and R. B. Underhill of Beaumont and W. A. Stoner of Waco, alternates. T. W. Wright, Lyon Post No. 5; P. B. Sprague, Thomas Post No. 6; Frank L. Kirk, Hancock

Post No. 2; S. Sulnon, Joel Hooker Post No. 79, and J. O. Berry, John M. Logan Post No. 73, were selected as members of the Council of Administration.

Officers elected on the preceding day were next installed.

The W. R. C. on the 18th installed their officers, selected the following executive committee: Mrs. A. Smith, San Antonio; Mrs. Maud Green, Houston; Mrs. Rosa Roth, Dallas; Mrs. R. E. Lacy, Corsicana, and elected the following delegates at large to the National convention: Mrs. P. B. Hunt of Dallas and Mrs. Ella Gerrard of Austin alternate. Mrs. Emma Dunlap of Dallas and Mrs. M. Gonterman of Houston were also selected as delegates.

FLAG OF THE FORTY-SECOND MASSACHUSETTS REGIMENT.

One of the most brilliant victories achieved by the Confederates during the war between the States, and for that matter, one of the most brilliant feats of arms recorded on the pages of history, was the recapture of Galveston, January 1, 1863, by a force commanded by Gen. J. Bankhead Magruder. Upon that occasion a detachment of the Forty-second Massachusetts Infantry (occupying the wharf) were made prisoners and their battleflag and regimental marker flag captured.

The battleflag was stored in a concrete building at Houston, with trophies, munitions of war and other material. After the surrender, a short period intervened when the State was without law, and general disorder prevailed. During this interregnum the building was looted and burned, and the flag, with other contents, destroyed.

The marker, a flag of blue silk with the figures "42" painted upon it in gold, was preserved, and was later presented by General T. B. Howard to Dick Dowling Camp of United Confederate Veterans, with the request that the camp take the necessary action looking to its return to the Forty-second Regiment on the occasion of the midwinter reunion of the survivors of that organization at Boston, Mass., February 26, 1902.

The flag was accordingly forwarded by a committee of Dick Dowling Camp, accompanied by a letter containing the following, among other, expressions: "We take great pleasure in sending it to you with the compliments of our Camp, and beg, in so doing, to assure you that we do so with feelings of united brotherhood and love. It seems like a trifle, but, as insignificant as the piece of silk may appear, the sentiment conveyed with it from a camp of old soldiers will find a reciprocal response in the recipients to whom we now transmit it for final keeping."

The marker was unfurled at the reunion by "Comrade" Fisk, the letter read, and the relic enthusiastically received, many of the old ex-

Union soldiers taking it in their hands. It was later, by vote, deposited in Memorial Hall, Boston.

The Forty-second Regiment passed the following preamble and resolution by a rising vote:

"Whereas, This association has received from Dick Dowling Camp of Confederate Veterans of Houston, Texas, one of the marker flags of this regiment lost to the Confederate forces at the battle of Galveston, January 1, 1863; now, therefore,

"Resolved, That the secretary of this association be instructed to convey to our Southern friends the following sentiment:

"The Forty-second Massachusetts Regiment Association to the Dick Dowling Camp of Confederate Veterans, of Houston, Texas.

"Greeting: We thank you sincerely for the return of our flag, and for the kindly expressions of esteem and fraternal good will accompanying the same, which expressions we heartily reciprocate.

"We rejoice today that one flag floats over all and that the sons of Texas and Massachusetts are standing shoulder to shoulder maintaining the integrity, unity, and world-leadership of these great United States of America."

From the foregoing and similar occurrences, it is apparent that, whatever may be the sentiments of a few belated individuals here and there, the war is over, in the opinion of the old soldiers, and the great, patriotic body of the people, and the animosities of the dead past have given place to feelings of fraternal regard.

PHILIP SANGER.

DALLAS.

The death of this well known Texas merchant and citizen occurred at 4 p. m. April 22, 1902, at Pasadena, Cal., where he had gone in search of health. His wife, son, and two daughters were with him. The remains were interred at Dallas.

Mr. Sanger was born at Obernbreit, Germany, September 11, 1841, the son of Elias and Mrs. Babette Sanger; came to America when sixteen years of age; clerked for a year in a retail clothing store in New York for \$2.50 per month and board; later went to Savannah, Ga., where he secured a slightly better position; served through the war between the States as a Confederate volunteer in Company G, Thirty-second Georgia; was slightly wounded at Ocean Pond, Fla.; was present at the bombardment of Fort Sumter and Morris Island before the surrender of Charleston, S. C.; participated in the hundred days' fighting incident to Sherman's march to the sea, acting as private secretary to the adjutant at general headquarters, and surrendered with the other soldiers under Gen. Joseph E. Johnston at Greensboro, N. C.

Subsequent to the war he moved to Texas and became the directing head of the retail department of Sanger Bros. mercantile business, established at Dallas in 1872.

His wife, prior to her marriage to him in 1869, was Miss Cornelia Mandlebaum, of New Haven, Conn.

Several of his brothers located in Texas before the war. Of these, Jacob and David died of yellow fever at Bryan, in 1867, and Lehman, Isaac, Samuel and Alexander are still living. Lehman was the originator of the firm of Sanger Bros. He and Isaac first conducted a mercantile business at McKinney (beginning in 1859), and moved thence to Weatherford, where they remained associated until the war between the States. In 1865 Lehman started a store at Millican, in which Isaac and Philip secured partnership interests during the year. As the Texas Central railway was extended northward from Millican the firm followed with its business to the next terminus, locating at Bryan, Hearne, Calvert, Kosse, Bremond, Groesbeck, Corsicana, Waco and finally Dallas in 1872. Alexander, Samuel and Philip were later admitted to the partnership and a branch house established in Waco. Lehman and Isaac subsequently retired from the firm, the former on account of ill health and the latter to look after large interests in New York City.

The foregoing imperfect statement of facts connected with the Sangers is made for the reason that they deserve to rank among the most remarkable and capable of the business men who have figured in the history of mercantile development in Texas.

GEORGE H. BLACK,

Dentist, in Dallas, was born at Centerville, Texas, on February 24, 1864. Lost his mother in Louisiana when he was but three years old. Lived with an uncle and aunt in Mississippi till he was eight years old, when they moved to Texas. George came to Kaufman county in 1876 with his relatives and worked for them two years longer, and then set up for himself. Worked on a farm till he was eighteen years old and then entered a printing office in Mineola to learn the business. He was editor and publisher of a paper of his own in Hunt county for a year. Then the young man abandoned journalism and began teaching. Attended the Sam Houston Normal at Huntsville one year. Soon became disgusted with teaching and quit it. Entered the University of Texas at Austin in 1885 and remained there as a student for three years, supporting himself by working in a printing office. Left the University an undergraduate of A. B. degree. Next George worked as a journeyman printer for several years. Entered law school at Lebanon, Tennessee, in 1890, and graduated in 1891 with the degree of L. L. B. Ad-

mitted to the bar and opened law office at Greenville, Texas, the next year. Soon became discouraged, quit law and dropped back to journalism. Owned half a dozen different newspapers and run them in as many different towns at various periods of time, but they were all failures financially. Began studying dentistry in 1896 with an old practitioner and afterwards graduated at Southwestern School of Dentistry at Dallas, Texas, and was granted permanent license to practice by the State Dental Board of Texas. Married May 23, 1898, Miss Lulu Johnson, of Denton county, Texas. Has two children, Ruth and Ray. Has a good practice and doing well, and lives at 237 Wall street, Dallas, Texas. He belongs to the Masonic fraternity, A. F. & A. M., is a member of S. A. E., Sigma Alpha Epsilon fraternity, and a member of the C. P. church. [C. W. R.]

WILLIAM DUNOVANT.
HOUSTON.

During the afternoon of August 11, 1902, Capt. William Dunovant was shot by W. T. Eldridge in a passenger coach at Simonton, a small station on the San Antonio & Aransas Pass railroad, in Fort Bend County, and died at Houston at 9:45 p. m. the same day.

In his death Texas was deprived of one of its most notable citizens, one who figured largely in the upbuilding of the State, and who was prominent in social, business, and political circles.

He was born in Chester, S. C.; when fifteen years of age entered the Confederate army as a private in Company F, Seventeenth South Carolina regiment of volunteers; was subsequently appointed captain of Company C in the same regiment; was wounded in the left arm at the battle of Manassas, and lost his left arm at the crater on the Petersburg lines the following winter, incapacitating him from further active service; moved to Texas in 1874 with his sister, Miss Adelia A. Dunovant, and thereafter resided at Eagle Lake for twenty years, and subsequently, until the time of his death, at Houston. He was an extensive planter of sugar, cotton and rice, and was for a time president of the Cane Belt railroad, of which he was the principal owner. He owned several fine estates and was one of the wealthiest and most influential men in Southeast Texas. He was possessed of superior natural powers of oratory and delivered several speeches that attracted favorable attention, among them addresses on "Lee and the South," and "The Relation of the Silver Question to Agriculture." He could probably have secured political preferment had he so desired, but uniformly declined to be a candidate for office, preferring to give full scope to the activities of his strong and cultured mind and bold, aggressive spirit in self-chosen and

more congenial fields of effort, and the pursuit of goals that he esteemed more worthy of ambition.

The only survivor of his immediate family is his sister, Miss Adelia A. Dunovant, now residing at Houston, in 1902 president of the Texas division of the United Daughters of the Confederacy.

D. L. McGARY.

Maj. "Dan" McGary, a unique figure in Texas journalism for more than forty years, admired and beloved by his brethren of the quill, a quaint and forcible writer, and a man whose honesty of purpose not even those opposed to views he expressed ever doubted, died at Beaumont, Texas, at 2 p. m., April 22, 1902.

"Major McGary," says the Galveston News' Beaumont correspondent, "was born in Hopkins county, Kentucky, about seventy years ago. He first went to Nebraska and thence came to Texas. He served in the Confederate army and made a good record. After the war he settled at Brenham, where he established the Banner. The town was held by the Federals at the time, and the editorials of the paper were marked more by truth than policy, and the editor was soon thrown in jail. He continued to write and the matter was printed. This was not satisfactory to the authorities and the office was burned, together with a large part of the town. There has been pending in Congress for many years a claim for damage done, but there has been no action on it. After the fire and his release from prison, Major McGary went to Houston, where he established the Age. A number of years since he removed the paper to Wallisville and later to Beaumont."

THOMAS FRANKLIN MURCHISON,

President of the First National Bank of Athens, died at his home on June 14, 1902. Was born February 9, 1828, in Fayette county, Tennessee. Came with his father's family to Texas in 1847 and settled near the town of Crockett. Eight years later the young man found congenial employment as a clerk in the store of Dr. John Collins, in the village of Athens. In 1859 Mr. Murchison bought out the stock and business of his employer and became a merchant on his own account. In 1886, after a course of twenty-seven years of honorable dealing with the public, Colonel Murchison quit merchandising with a handsome competency in fortune.

In 1890 he assisted in the organization of the First National Bank of Athens, of which he was chosen president, holding the office till the day of his death.

Colonel Murchison married Miss Mary Royall December 1, 1857. Of this happy marriage there are now four surviving children, three sons and one daughter. D. R. Murchison, one of the sons, is a leading business man of Athens at this time. He is assisted in his business by his brother John W., a man of substantial character and fine standing. The other son is Dr. T. M. Murchison, a physician of extensive practice, now a resident of Denver, Colo. The daughter is the wife of Judge A. B. Watkins, one of the prominent lawyers of the State.

Colonel Murchison retained his vigorous health up to a short period before his death, and this was doubtless due in a large measure to his strictly temperate life. He was a success in all his enterprises, and this has been attributed to his patient industry, wise economy, and above all to his unswerving integrity of character.

The Masonic lodge of which Colonel Murchison had been a member for more than forty-five years, passed unanimously strong resolutions of respect for his memory. In fact, the whole community expressed their sorrow at his death in no unmistakable way. The writer of this sketch got acquainted with Colonel Murchison by a noble act of generosity on his behalf when hard pressed by enemies, more than twenty-seven years ago, and he feels constrained to say, as a tribute to his memory, "Colonel Murchison was a man in the largest sense of the term, with an invincible love of the right and with sympathies as broad as humanity." [C. W. R.]

COL. A. H. BELO.—A memorial window to the late Col. A. H. Belo was unveiled in St. Matthew's Cathedral by Bishop Alexander C. Garrett, Sunday morning, April 19, 1903, the bishop preaching a special sermon and appropriate exercises being observed.¹

DECORATION DAY.

May 30th, Decoration Day, was observed at Austin, Galveston, Houston, San Antonio, Fort Worth, Waco, Corpus Christi, and other Texas towns and cities in 1902 and 1903 in a befitting manner.

As an evidence of the fraternal feeling that now binds together the people of all sections of the country, it is pleasing to note that where Grand Army posts conducted the ceremonies no distinction in floral decorations was made between the graves of Confederate and Union dead, and that where they were conducted by Confederate Camps, garlands were placed with impartial hands upon the mounds beneath which sleep those who wore the blue and those who wore the gray.

¹ For biography of Col. Belo, see "Year Book for Texas for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.





GEN. JOHN A. HULEN.
(Present Adjutant General of Texas.)

The Daughters of the Republic, Daughters of the Confederacy and other organizations observed the day.

The State departments at Austin were closed and the national colors were displayed at half-mast on all the Federal buildings throughout the State.

In 1902 Major Charles B. Peck was the orator at Glenwood cemetery at Houston, where the exercises were conducted under the auspices of McClellan Post G. A. R., and participated in by ex-Confederate veterans, Spanish war veterans, members of the Woman's Relief Corps, and others. In the course of his remarks, he said:

"The memories of this day are not confined to the Americans or bounded by the surf-line of the Atlantic. Over in that old home of British independence, among the countrymen of Sydney, Hampden and Cromwell; in sunny France, the home of Lafayette and Hugo; from the land of Bismarck and Von Moltke; from the bleak hills of Scotland and down where the bells of Shandon sound sweetly over the river Lea, the lovers of civil liberty are saying: 'To-day the Americans are decorating the graves of our kinsmen who died for their adopted country.'"

ADJUTANT GENERAL'S DEPARTMENT.

Adjutant General, John A. Hulen,¹ of Gainesville; appointed by Gov. S. W. T. Lanham, June 1, 1903, to succeed Adjt. Gen. Thos. Scurry,² resigned; salary, \$2000 per annum; office force, quartermaster general and one chief clerk; total appropriation made by the Twenty-eighth Legislature, for the department³ for the two years ending August 31, 1905, \$80,220, of which amount \$56,000 is for the maintenance of the Ranger Force and \$10,000 for "payment of, and transportation of and subsistence for the Texas Volunteer Guard for camps of instruction and for all other military purposes."

¹ Adjutant General Hulen was born in Centralia, Mo., in 1871, and has resided in Gainesville, Texas, since childhood. The following positions were held by him in the Texas Volunteer Guard, the time given indicating when he was elected, or appointed, to them: 1891, First Sergeant; 1892, Second Lieutenant, and 1893, First Lieutenant in the Gainesville Light Infantry; 1894, Captain Bailey Cavalry; 1897, Major First Texas Cavalry, and the following were held by him in the United States army: April 24, 1898, Major, and June 2, 1898, Lieutenant Colonel of the First Texas Cavalry, U. S. V., which was stationed at Fort Sam Houston, San Antonio, until the close of the war with Spain; January 4, 1899, Captain in the Thirty-third Infantry, U. S. V.; 1901, Lieutenant of Infantry, U. S. A. He sailed for the Philippines with the Thirty-third Infantry, U. S. V., in September, 1899, and returned to the United States in May, 1901. During his stay in the islands he participated in numerous engagements, the most notable of which were at San Jacinto November 11, 1899, and Tog nadin December 4 of the same year. His regiment was mustered out of service on returning to the United States. In consideration of gallant and meritorious service in the field,

There is also available for the T. V. G. \$10,000, appropriated by the Twenty-seventh Legislature for the year ending August 31, 1903, for the purpose of holding a division encampment, provided that if any city bids \$10,000, or more for the encampment it shall be held there; in which event, the \$10,000 appropriated by the Legislature shall lapse to the credit of the general revenue fund in the State treasury. There was an appropriation identical with this as to amount and conditions, for the year ending August 31, 1902. No city desired the encampment so much as to pay \$10,000 for it, and it was consequently held at Austin.

The encampment for 1903 will be held in Austin, for the same reason, August 18th to 26th, both inclusive.

Many of the most interesting features of Gen. Scurry's report to the Governor, October 20, 1902, covering the years 1901 and 1902, will be found elsewhere in this volume under the following headings: "Texas Volunteer Guard," "Texas Ranger Force," "Encampment of the Texas Volunteer Guard, July 22 and 30, 1902," and "The Annual Convention of the United Confederate Veterans' Association."

He states that a total of \$37,078.37 was collected from the United States government as payment for supplies, transportation, etc., furnished to volunteers by certain corporations and citizens of Texas when troops were being mustered for the war with Spain.

In this connection he says: "The total amount collected for pay of volunteers that were mustered into the Texas Volunteer regiments and for the rejected men from these regiments was, \$48,496.91; total amount paid out to volunteers, \$42,715.33; balance on hand unpaid for want of proper address of volunteers, \$5781.58.

"I further ascertained while in Washington, that an act had been passed by Congress to return in kind the quartermaster's supplies issued to this State, for its militia, and which afterwards went into the service of the United States in the war with Spain. I did not know of this act and had been governed by the opinion of the Attorney General of the United States, previously made, to the effect that such supplies could not

he was immediately thereafter appointed Lieutenant in the regular army, but resigned the office to embark in business at Gainesville, in which he remained engaged from 1901 until appointed Adjutant General of Texas.

²Gen. Scurry's resignation was entirely voluntary and was tendered to accept the position of Auditor of a leading insurance company, with headquarters at Dallas. He retired from the office with a record second to that of no other man who ever filled it. During the month of June, Gens. L. M. Openheimer and Wm. H. Stacy and Col. Henry Hutchings, a committee appointed for the purpose, presented Gen. Scurry with a handsome chest of silver plate and set of pearl handled knives, on behalf of the Texas Volunteer Guard as a testimonial of esteem. He replied June 30 in a letter expressing appreciation and evidencing those qualities of heart and head that have won and retain for him the friendship of all who know him.

³For a history of the department under the Republic of Texas and State of Texas, list of those who have filled the office and their terms of service, duties discharged by the Adjutant General, etc., see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.



GEN. THOMAS SCURRY.

(Adjutant General of Texas from January 18, 1899, until succeeded by Gen.
Hulen, June 1, 1903.)



be returned in value or in kind. Under this act a claim against the United States was made, approved by you, for quartermaster's supplies to the value of \$22,735.45, and the supplies have been received.

"Aggregate collections from the United States: For transportation, supplies, etc., furnished volunteers before muster into United States service for the war with Spain, \$37,078.37; for pay due Texas volunteers between date of enrollment for war with Spain to date of muster into United States service, and for rejected volunteers from date of enrollment to date of their rejection, \$48,496.91; for quartermasters' supplies issued by the United States to the State of Texas and which went into the service of the United States for war with Spain and afterwards returned in kind—value, \$22,735.45; aggregate, \$108,310.75.

"Total value of quartermasters' supplies received since last printed report, \$68,564.85.

"It has," he says, "been necessary to require the quartermaster of the Ranger force to devote all of his time, not employed with that force, to keep an account of property received from the United States and kept in the arsenal or issued to the Texas Volunteer Guard, as it is impossible for the Adjutant General with only one clerk to keep the account of such property. I, therefore, recommend that the position of quartermaster general⁴ with the rank of colonel be created, who shall give bond in the sum of \$10,000 and should receive a salary of \$1500 per annum, and be held responsible and accountable for all State property of a military character and all ordnance, ordnance stores and quartermaster's supplies issued to the State by the United States for the use of the militia, and should also be required to serve as quartermaster of the Ranger force without additional pay. The quartermaster of the Ranger force now receives \$1200 per annum. The increase in pay is recommended on account of the increased responsibility. The force of the Adjutant General's office has been compelled to remain at work until long after the usual hour for closing each day on account of the work before the department. I, therefore, recommend that the department be allowed an additional clerk."

The report contains suggestions for needed legislation to increase the efficiency of the Volunteer Guard, to secure the preservation of State property, and to insure the realization of the greatest amount of good to the State possible from the department, Ranger force, and militia organization.

As appendices, are printed the following:

"Exhibit A, result of operations of Ranger force. Exhibit B, statement of expenditures and balances of appropriations, also detailed statement of cost of camps of instruction. Exhibit C, statement of account with the United States government, and of value of ordnance, ordnance

⁴Capt. (now Col.) L. P. Sieker was appointed to this position by Gov. Lanham July 1, 1903. Prior to that date he was quartermaster of the Ranger force and acting assistant adjutant general.

stores and quartermaster's supplies received. Exhibit D, statement of ordnance, ordnance stores and quartermaster's supplies (government property in arsenal and in hands of companies). Exhibit E, statement of claims collected from the United States government. Exhibit F, appropriations made by each State and Territory for its National Guard, showing the strength of the organized militia in each State from government records. Exhibit G, report of Maj. Gen. L. M. Openheimer, commanding division, and of various boards of inspectors and staff officers on camp of instruction, 1901. Exhibit H, report on camp of instruction at Sherman, August 25 to September 1, 1901. Exhibit I, report of inspecting officers on conditions of organizations at their home stations. Exhibit J, Report of Maj. Gen. W. H. Stacy, commanding division, on camp of instruction at Camp Mabry, 1902, and of inspecting and other staff officers. Exhibit K, report on camp of instruction of battalion of colored infantry, 1902. Exhibit L, reports of Lieut. Col. F. A. Reichardt, aide-de-camp; Maj. G. P. Rains, Third Infantry, and Capt. Geo. McCormick, First Infantry, on service at Trinity, and Maj. Rains on service at Henderson. Exhibit M, general orders and circulars. Exhibit N, list of adjutant generals of Texas. Exhibit O, roster of officers with record, and retired list."

In his message to the Legislature, January 16, 1903, Gov. Sayers said: "Much credit is due the Adjutant General for his intelligent administration of the ordinary affairs of his office, and, also, for the very satisfactory manner in which he has discharged the many delicate and difficult duties to which he has been often ordered."

MAJ. GEN. WILLIAM HENRY STACY.

AUSTIN.

Gen. Stacy was born at Abbeville, S. C., February 23, 1863, the son of Rev. Aaron G. and Mrs. Cornelia (Gillespie) Stacy; came to Texas with his parents in 1872; moved with them from Palestine to Austin in June, 1873, and has since resided in the latter city.

His father was of English descent; president of Mecklenburg Female College, Charlotte, N. C., from 1865 to 1869; president of Kansas City (Mo.), Female College in 1872; president of Austin (Texas) Female College from 1873 to 1875, and died at Austin April 8, 1875; was a prominent minister of the M. E. Church, South, and, among other useful labors performed, will be remembered as the author of a work entitled "The Service of Song."

His mother was born in Charlotte, N. C., and a descendant of the ancient family of Gillespies, renowned in Scottish history, poetry, and romance. She was prominent in all church work, and for twenty-five years teacher of the infant class in the Tenth Street M. E. Church,



MAJ. GEN. WILLIAM H. STACY.

South, at Austin. This saintly lady was called home to her final rest June 27, 1901. She was honored and loved by an extremely large circle of devoted friends.

Gen. Stacy received a good common school education in Missouri and Texas. In 1895 he graduated from the University of Texas with the degree of LL. B., was by virtue of that fact admitted to the bar by the Supreme Court of Texas, and now holds license to practice law in all the courts, State and Federal. He employs his legal knowledge, however, exclusively in the conduct of the large real estate, fire insurance, and loan business of which he is the directing head.

He represents some of the strongest insurance companies in the world, has met with particular success in negotiating large real estate deals, has control of the investment of a great amount of capital, is president of the Austin Real Estate and Abstract Co., and vice-president of the Bergen, Daniel & Gracy Abstract Co., and no man in Austin stands higher socially. He is a member of the M. E. Church, South, and Elks' fraternity. He is a member of the board of stewards and board of trustees of the Tenth Street M. E. Church, South, and of the board of directors of the Young Men's Christian Association.

Gen. Stacy has for years taken a prominent part in leading musical events in the Capital City and elsewhere in the State. He is a singer of rare excellence and power, possessing a rich bass voice.

He has filled every position in the Texas Volunteer Guard from private to major general. The following is his military record as announced from the Adjutant General's department:

"Private Company A, Second Infantry, May 25, 1880; corporal, 1881; sergeant, 1883; first sergeant, 1884; second lieutenant, June 3, 1885; captain Company C, Second Infantry, October, 1885; major, Second Infantry, September 24, 1888; lieutenant colonel, August 15, 1891; colonel, February 15, 1893; brigadier general First Brigade, November 22, 1899; major general division, March 11, 1902."

As captain of the Texas Rifles he participated in suppressing the great railroad riots at Fort Worth in 1887. As soon as it became certain that the United States would go to war with Spain in 1898, he volunteered the service of his sword.

By general order No. 187, issued by Gov. Culberson, May 2 of that year, the various regiments of the proposed Texas contingent were ordered to rendezvous at Camp Mabry, near Austin, at once, and May 11 he announced his appointments of field and staff officers, designating W. H. Mabry as colonel and W. H. Stacy as lieutenant colonel of the First Texas Infantry, U. S. V.

The First, Second, and Third Infantry and First Cavalry were mustered into the United States army at Camp Mabry, May 12-14, 1898.

The First Infantry proceeded first to Mobile, Ala.; thence to Miami, Fla.; thence to Jacksonville, Fla.; thence to Savannah, Ga.; and thence to Havana, Cuba, and was mustered out at Camp Egbert, Galveston, April 18, 1899.

His business urgently demanding attention, Gen. Stacy resigned his position as lieutenant colonel September 1, 1898, after peace was declared, and all hope of seeing active service in the field had passed.

He was (as major general) in command of the division encampment of the Texas Volunteer Guard, held in 1902. [See article entitled "Encampment of the Texas Volunteer Guard, July 22 to 30, 1902," elsewhere in this volume.]

By appointment of the Governor, he represented Texas at the United States army and National Guard maneuvers at Fort Riley, Kansas, in the fall of 1902. [See article entitled "Texas Volunteer Guard," elsewhere in this volume.]

He will render valuable service in the work of organizing the Texas National Guard contemplated by the Dick bill passed by the United States Congress, and an act passed later by the Twenty-eighth Legislature of Texas.

Gen. Stacy married at Gonzales, Texas, in 1890, Miss Clara F. Harwood, daughter of a gallant ex-Confederate officer and eminent member of the Texas bar, Maj. T. M. Harwood, of Gonzales, now deceased. Maj. Harwood was a member of the first board of regents of the University of Texas.

Gen. and Mrs. Stacy have four children, three sons and one daughter—all small. Their home is one of the most delightful in Austin—the seat of modest elegance and refined hospitality.

Gen. Stacy has, in the gratification of a natural partiality for mental employment in that direction, devoted himself with unflagging ardor to military studies during the past twenty-two years, and as a scientific volunteer soldier ranks, if not uncontestedly first, certainly second to none of those (from Maine to California) who will be included in the National Guard. At the same time he is a first class business man, as was Jackson, Coffee, and Carroll, and, like them, in time of peace prefers the office to the barracks; the freedom, activity, and variety of civil life to the restrictions and dull routine of the regular army.

It is not the purpose of the writer to ascribe to him the martial genius of the hero of New Orleans, or even of Coffee, or Carroll; it takes the voice of the god of war thundering above the din and conflict of battle to waken into life such genius, a genius that, but for that voice, would have slumbered unknown even in the bosoms of such great masters of the art as Cromwell and Napoleon.

It can be said truthfully, however, that the Volunteer Guard and people of this State have the highest estimation of his character and attainments, and have no fear but that, if the sons of Texas are ever called to the field under his command, he will acquit himself in a way that will add new wreaths of laurel to those with which other soldier hands have garlanded the gleaming shield of our proud and, so far in its history, *invincible* commonwealth.

TEXAS VOLUNTEER GUARD.

In the Adjutant General's report to the Governor:

"The organization of the Texas Volunteer Guard, as now constituted, consists of one division, subdivided as follows: One signal corps of two companies; one squadron of cavalry of three troops; one battalion of artillery of four batteries; and four regiments of (white) infantry of twelve companies each, divided into two brigades of two regiments each; and one battalion of colored infantry of four companies. The division is commanded by Maj. Gen. W. H. Stacy, assisted by a suitable staff. It is divided into two brigades, each commanded by a brigadier general, assisted by a suitable staff. The signal corps, the squadron of cavalry, the battalion of artillery, and the battalion of colored infantry are independent organizations and report to the division commander direct.

"Since the reorganization of the Texas Volunteer Guard in 1900, there has been no difficulty in keeping the organization to the strength authorized by law—3000 officers and men. This force can be maintained to a reasonable degree of efficiency by a more generous recognition on the part of the Legislature in the way of appropriations. The United States government makes an annual appropriation of \$1,000,000 for arming and equipping the militia of the United States. Texas receives annually arms, uniforms, and equipments to the value of \$31,862.73 as its pro rata, which is ample to keep the present force well armed and equipped.

"The past few years have demonstrated beyond a doubt that the Texas Volunteer Guard, as a force, has been useful, in fact, necessary, to guard life and property in time of riots, mobs, and tumults. * * * Whenever a company, troop or battery commander has received orders to assemble his organization and proceed to any definite place for active service, the promptness with which the officers and men have responded and reported ready for duty is remarkable considering the fact that they have never received encouragement from the State commensurate with the duty performed or the risk incurred. Many of the older States not only provide means for encampments, including transportation, but make liberal allowances for the armory rents, for pay of troops in active service, and, in addition thereto, pay to officers and enlisted men for a limited number of drills per annum and for the time spent at annual camps of instruction. It is at least due the Texas Volunteer Guard that appropriations be made for annual encampments, which should be sufficient to include transportation as well as subsistence and other expenses of the camp, and it is also due them that an allowance be made by the State to each company, troop, battery and band for armory rent to lighten the burdens on those organizations.

* * * For a number of years past the following organizations of the Texas Volunteer Guard owned their armories: Company A (Houston Light Guard), First Infantry, of Houston, valued at \$50,000. Com-

pany H (Jeff Davis Rifles), Second Infantry, of Jasper, valued at \$1200. First Battery Field Artillery of Dallas, valued at \$8000.

"Of these organizations, the armory of Company H (Jeff Davis Rifles), Second Infantry, of Jasper, was totally destroyed by fire during the great conflagration in that town on June 2, 1901.

"According to the affidavits of the captains of the respective organizations mentioned, the following fires have occurred, nearly all of which resulted in the total destruction of the ordnance stores and quartermaster supplies, and other State property, issued by the State to the respective organizations, viz: Company A (Horace Chilton Rifles), Third Infantry, of Tyler; Company C (Moss Light Guard), Fourth Infantry, of Cleburne; Company L (Governor's Cadets), First Infantry, of Austin; Company H (Jeff Davis Rifles), Second Infantry, of Jasper; Company L (Calvert Light Guard), Second Infantry, of Calvert; Troop A (Houston Cavalry), First Cavalry, of Houston; Battery D (Houston Artillery), First Artillery, of Houston.

"It was necessary to make a new issue to each of the above organizations, with the exception of Company C (Moss Light Guard), Fourth Infantry, of Cleburne, and Battery D, of Houston, which, upon their own application, were mustered out of the service.

"It is with much pleasure that attention is invited to the action of the city council of Waco in appropriating \$25 per month to cover armory rent and other incidental expenses of Company K (Mayor's Guard) and Company F (Miller Rifles), both of the Second Infantry, and \$20 per month to cover similar expenses of the Fourth Battery (Hubb City Battery) Field Artillery, all of these organizations being of that city. In the past there have been occasions in which cities and counties have permitted the use of rooms or halls belonging to such municipalities by military companies, but Waco has been the only one to appropriate money directly for the purpose of supporting its local companies. The result has been considerable enthusiasm and increased efficiency in the organizations of the Texas Volunteer Guard residing in that city.

"The recommendations made in the last biennial report of this department in reference to examination of officers have, by your direction, been carried out as far as practicable. All field officers and officers of the Inspector General's and Adjutant General's departments have been examined, and as many of the company officers have been examined as it has been practicable to reach. About 206 questions were submitted in printed form to each company officer, covering the most important parts of the following subjects: Administration and army regulations, military law, guard duty, street riot duty, firing regulations, drill regulations (including definitions, signals, setting up exercises, school of the company, school of the battalion, extended order, ceremonies and camping), and the service of security and information. These examinations were made by Col. J. M. Byrnes, Lieut. Col. J. E. Muchert and Maj. F. J. Badger, of the Inspector General's department.

"* * * A board of officers was appointed for the purpose of making such changes in militia law and regulations governing the Texas Volunteer Guard as might be considered advisable. The detail for the board was as follows: Maj. Gen. W. H. Stacy, commanding division; Brig. Gen. Thos. Scurry, Adjutant General; Col. J. M. Byrnes, Assistant Inspector General; Col. Henry Hutchings, First Infantry; Lieut. Col. N. A. Rector, Assistant Chief of Ordnance; Lieut. Col. J. E. Muchert, Assistant Inspector General; Maj. F. J. Badger, Assistant Inspector General; Maj. J. F. Nichols, Assistant Inspector General; Capt. B. F. Wright, Aide-de-camp, division staff.

"Five of the above officers live in the city of Austin. The five officers of the Inspector General's department had been directed to meet here for instructions in reference to inspecting the various organizations of the Texas Volunteer Guard at their home stations, free transportation having been secured for them, and while these officers were in the city it was the purpose to have the above board meet and work on the regulations, which they did, with the exception of Maj. Nichols, who was excused on account of business, and Capt. Wright, who resigned before the board met. The board completed its work as far as it was practicable to do so at that time. A number of details and corrections were left to the officers of the board who reside in Austin. In accomplishing their work the board endeavored to use as many of the United States army regulations as are applicable to the Texas Volunteer Guard under the present militia law, and such amendments as the board will recommend. The conditions in the Texas Volunteer Guard are so different from those in the regular army that it was necessary to leave out much of the army regulations and to put in a number of new regulations. The report of the board will be submitted to your Excellency as soon as it is printed.

"* * * Since my last report various organizations of the Texas Volunteer Guard have been called upon to aid the civil authorities to protect prisoners, to prevent mob violence and to guard property, and I am pleased to invite the attention of your excellency to the fact that each organization, when called upon, responded with enthusiasm and with a promptness that is worthy of the highest commendation. In most instances their services have been needed to protect prisoners charged with rape against mob violence. This crime is as hideous in the eyes of the officers and enlisted men of the Texas Volunteer Guard as it can possibly be to any member of a mob, but the prompt and effective manner in which they have performed their duty, whenever they have been called upon and have been able to reach the prisoner in time, is an evidence of their high respect for the law, of their good discipline, and of their patriotic desire to do their full duty as members of the Texas Volunteer Guard. Whenever the civil authorities have notified you of their need for military aid, your prompt action in ordering out organizations of the Texas Volunteer Guard in most instances prevented trouble. * * *

"In view of the fact that officers ordered out with their commands by your excellency have been in a few instances required to give their personal checks for transportation of troops to scenes of trouble, and in other instances have been delayed by reason of not having transportation, I respectfully recommend that the officials of any railroad in Texas be required, by appropriate legislation, to honor the request of any general, field, company, troop, or battery officer for transportation of his command or detachment thereof, when such request is accompanied by a certified copy of the order of the Governor or certified copy of the writ of the sheriff of any county, directing him to parade his command at a place other than his home station which will require such command or detachment thereof to move over such road. That the reasonable charges for service rendered by any railroad under this article, accompanied by said copy of order or writ, shall be a just claim against the State. That railroad companies be heavily fined if for the benefit of the public they run excursion trains or give excursion rates to scenes of lynching.

"The appropriation to cover expenses of the Volunteer Guard when called into service reads as follows:

"Payment of transportation and subsistence for the Volunteer Guard when called into active service under the law, and it shall not be lawful to pay out of this sum any amount that is not for the subsistence and transportation of the volunteers when called into active service, \$5000."

"In view of the wording of the latter part of this appropriation, it was considered advisable to ask for the opinion of the Attorney General on the question as to whether the Volunteer Guard would be entitled to pay when called into active service under the above appropriation. His opinion in writing was adverse to the proposition. The organizations of the Texas Volunteer Guard were, therefore, advised of the fact, but this made no difference in the manner of their response to all calls for active service." He asked for an appropriation of \$1992 to pay for service rendered and an appropriation to pay certain claims of officers and men, for expenses incurred in attending the division camp of instruction in 1902. [They were made by the Twenty-eighth Legislature.]

"The appropriation," says Gen. Scurry, "for handling and transportation of ordnance and quartermaster's stores, labor in arsenal and repairs to arms and inspection of arms and troops should be increased to \$1500 per annum, to enable quarterly inspections to be held at the home stations of companies, troops, batteries and bands. Such inspections are considered necessary to prevent the heavy loss of property issued by the State to the Texas Volunteer Guard such as have occurred in the past.

"I respectfully renew the recommendations in last report that an appropriation of \$25,000 be made each year for 'payment of, and transportation and subsistence for, the Texas Volunteer Guard when called into active service under the law; and for transportation and maintenance of Texas Volunteer Guard for camps of instruction and for all other military expenses,' and that an appropriation of \$5000 be made

for armory rent for the company, troop, battery and band organizations of the Texas Volunteer Guard."

There being no appropriation available to defray the attendance of State troops at the United States army maneuvers held at Fort Riley, Kansas, beginning September 25, 1902, under the direction of Maj. Gen. John C. Bates, U. S. A., commander of the Departments of the Missouri and the Lakes, the secretary of war invited the governors of all the States to send such officers to witness them as they saw fit. Acting upon this invitation, Gov. Sayers deputed Maj. Gen. W. H. Stacy, of the Texas Volunteer Guard, to represent Texas, and also invited such other officers of the guard to accompany him as were willing to defray their own expenses. Col. Henry Hutchings of the First Infantry, and Maj. O. C. Drew, Jr., assistant adjutant general of the First Brigade, T. V. G., responded and with Maj. Gen. Stacy made up the Texas party. About 6000 troops were in attendance, and the exercises were of a character to afford instruction that will prove of much practical benefit to the Texas officers in the event of a war.

It has been recognized from the foundation of the government (or rather from a still earlier period in the history of this country, the date of the Boston massacre, March 5, 1770), that standing armies are a menace to liberty and will eventually overthrow any free government in which they are maintained on a large scale, and that, therefore, our republic should rely for military strength upon trained citizen soldiery. While great improvement has been made during the past twenty years in the equipment, drill, and theoretical efficiency attained by the militia organizations of the States, still, in the case of an international conflict, they could not be made ready for perfect service in the field without being placed in camps of instruction and seasoned in camp, on the march, and in battle—a process involving loss of time and sometimes disastrous loss of victories. Recognizing this, the Fifty-seventh Congress (final session) passed the Dick bill, the principal provisions of which are as follows:

1. The State militia is to be armed and equipped the same as regular United States soldiers, \$2,000,000 being appropriated for that purpose, and to be instructed in the same tactics and discipline.

2. The States are authorized to draw their portion of the amount annually appropriated by the Federal government for distribution among them according to representation in Congress, in cash if needed for the purpose of holding camps of instruction, instead of in arms and equipments as has heretofore been the requirement.

3. Organized State militia, upon the application of any governor, is to be invited, at the discretion of the secretary of war, to attend and participate in the regular United States army fall maneuvers held each year in, or nearest to the State from which the request is received; the militia organizations while so attending to be subject to army discipline and receive the same pay as regular soldiers. The general government is

also to defray transportation charges. The bill is very thorough and far-reaching, and in a few years, under its provisions the country will be so well prepared for hostilities that no power can afford to provoke a war with it.

Another bill introduced in the Fifty-seventh Congress provided for the establishment of a permanent camp of instruction near Fort Sam Houston, at San Antonio, for annual encampments and instruction of the Texas Volunteer Guard. It did not become a law, for the reason, probably, that adjournment *sine die* came before final action on it could be secured. It is to be hoped that the measure will be introduced and pushed through in the Fifty-eighth Congress.¹

Pursuant to the plan adopted by Federal legislation, the Twenty-eighth Legislature passed a bill (which was submitted to the Governor April 1, 1903, and became a law without his signature ninety days after the adjournment of the regular session), entitled "An Act to provide for the organization of the militia and the Texas National Guard, to prescribe the duties of the Governor, as commander-in-chief, and of other officers, and of the enlisted men thereof, to prescribe rules and regulations for the government thereof, and for calling the same into actual service when necessary, and to provide for the payment thereof, and to authorize the Governor to prescribe and publish further rules and regulations, to define offenses of officers and enlisted men, to prescribe penalties for such offenses and for violation of such rules and regulations and to provide for the trial and punishment of such offenders, and to repeal all laws in conflict therewith." Under this law the militia of Texas is divided into two bodies, the Texas National Guard and the reserve militia. The Texas National Guard supersedes the old Texas Volunteer Guard.

¹ The Twenty-eighth Legislature appropriated a total of \$10,000 for the Texas Volunteer Guard (more correctly speaking for the Texas National Guard) for the two years ending August 31, 1905, for pay, transportation and subsistence of members of the organization when called into active service under the law, for their maintenance in camps of instruction, and for all other military expenses. In addition to this, there is available \$10,000 appropriated by the Twenty-seventh Legislature for a division encampment in 1903, with a provision that said appropriation shall not be used if any town or city bids \$10,000 for the encampment. There was an appropriation of the same kind for 1902. No town or city put in a bid that year, and the encampment will be held in Austin. There is also available \$35,000 that will be received from the U. S. government. Maj. Gen. W. H. Stacy will command the encampment (August 18-26, 1903). The following regular U. S. troops from Fort Sam Houston will be present: Light battery, troop of cavalry, band and battalion of infantry.



GEN. A. P. WOZENCRAFT.

(Adjutant General of Texas from May 5, 1898, to January 18, 1899.)

ENCAMPMENTS HELD AND HONORS WON BY THE TEXAS VOLUNTEER GUARD.

The following information on the above subjects, covering the year 1901, was collected and arranged for the "Year Book" by Hon. Thomas Scurry during his term of service as Adjutant General of Texas, and will be of interest to all members of the Guard and persons who appreciate the merits and value of that organization:

The following encampments of the Texas Volunteer Guard have been held in past years:

- At Houston in May, 1884, at expense of citizens.
- At San Antonio in October, 1885, at expense of citizens.
- At Lampasas in June, 1885, at expense of citizens.
- At Lampasas in July, 1886, at expense of citizens.
- At Galveston in August, 1886, at expense of citizens.
- At Paris in June, 1887, at expense of citizens.
- At Houston in June, 1887, at expense of citizens.
- At Austin in May, 1888, at expense of citizens.
- At Galveston in June, 1889, at expense of citizens.
- At San Antonio in July, 1890, at expense of citizens, assisted by the State.
- At San Antonio in September, 1890 (battalion of colored infantry), at expense of the State.
- At Austin in July, 1891, at expense of the State.
- At San Antonio in August, 1891 (battalion of colored infantry), at expense of the State.
- At Austin in July, 1892, at expense of the State.
- At Austin in August, 1892 (battalion of colored infantry), at expense of the State.
- At Austin in July, 1893, at expense of the State.
- At San Antonio in September, 1893 (battalion of colored infantry), at expense of the State.
- At Austin in July, 1894, at expense of the State.
- At Houston in May, 1895, at expense of citizens.
- At Tyler in July, 1896, at expense of citizens.
- At Houston in August, 1896 (battalion of colored infantry), at expense of citizens.
- At San Antonio in July, 1897, at expense of citizens, assisted by the State.
- At Austin in May, 1898, mobilization of troops for war with Spain, at expense of United States government.
- At Houston in July, 1898, mobilization of troops for war with Spain (Fourth Texas Volunteer Infantry), at expense of United States government.

At Corsicana in July, 1900 (Third Infantry and Battery A, First Artillery), at expense of citizens.

At Waco in July, 1900 (Second Infantry), at expense of citizens.

At La Porte in July, 1900 (First Infantry, Batteries C and D First Artillery, and Troops A and C, First Cavalry), at expense of La Porte Improvement Co.

At Sherman in August, 1900 (Fourth Infantry and Battery A, First Artillery), at expense of citizens.

At Austin in July, 1901 (division camp), at expense of citizens, assisted by the State.

At Sherman in August, 1901 (one battery and six infantry companies), at expense of citizens.

The following honors have been won by companies of the Texas Volunteer Guard in prize contests:

At Houston in May, 1875, first prize, silver service, won by Travis Rifles of Austin, Capt. A. S. Roberts, commanding.

At Austin in November, 1875, first prize, sword (value \$400), won by Houston Light Guard, First Lieut. Joe S. Rice, commanding; second prize, gold medal, won by Travis Rifles, Capt. A. S. Roberts, commanding.

At Houston in May, 1876, first prize, silk United States flag, won by Houston Light Guard, Capt. Joe S. Rice, commanding.

At Houston in May, 1877, first prize \$100, won by Washington Guards of Galveston, Capt. Maynard Stafford, commanding.

At Galveston in May, 1878, first prize, \$200, won by Washington Guards, Capt. J. M. King, commanding.

At Houston in June, 1878, first prize for company drill and manual of arms, \$50, won by Houston Light Guard, Capt. George L. Price, commanding; first prize for bayonet exercise and skirmish drill won by Lamar Rifles, of Dallas, Capt. Geo. E. Felton, commanding.

At Houston in May, 1879, first prize \$50, won by Houston Light Guard, Capt. Geo. L. Price, commanding.

At Houston in May, 1880, first prize \$250, won by Houston Light Guard, Capt. Jas. A. Baker, Jr., commanding.

At Houston in May, 1881, first prize \$350 won by Houston Light Guard, Capt. Thos. Scurry, commanding; second prize \$100, won by Washington Guards, Capt. W. K. Hall, commanding.

At Houston in May, 1882, first prize \$300, won by Houston Light Guard, Capt. Thos. Scurry, commanding.

At New Orleans in May, 1882, second prize \$500, won by Houston Light Guard, Capt. Thos. Scurry, commanding.

At New Orleans in May, 1883, second prize \$1000, won by Houston Light Guard, Capt. Thos. Scurry, commanding.

At Houston in May, 1884, Interstate Drill, first prize \$5000, won by Houston Light Guard, Capt. Thos. Scurry, commanding. State Drill, first prize \$500, won by Washington Guard, Capt. W. K. Hall, com-

manding; second prize won by Austin Grays, Capt. R. P. Smyth, commanding.

At Mobile in May, 1885, first prize \$4000, won by Houston Light Guard, Capt. Thos. Scurry, commanding.

At New Orleans in May, 1885, first prize \$2000, won by Houston Light Guard, Capt. Thos. Scurry, commanding.

At Lampasas in June, 1885, first prize won by Sealy Rifles, of Galveston, Capt. Worthy Boyd, commanding; second prize a gold medal, won by Belknap Rifles, of San Antonio, Capt. Robt. B. Green, commanding. (Companies having won prizes in Interstate Drill barred.)

At Philadelphia in July, 1885, first prize \$4000, silk flag and jeweled badge, won by Houston Light Guard, Capt. Thos. Scurry, commanding.

At Lampasas in July, 1886, first prize won by Belknap Rifles, Capt. R. B. Green, commanding; second prize won by Sealy Rifles, Capt. Worthy Boyd, commanding. (Companies having won prizes in Interstate drills barred.)

At San Antonio (Volksfest) in October, 1885, first prize \$600, won by Belknap Rifles, Capt. Robt. Green, commanding.

At Galveston in August, 1886, Interstate drill, first prize for infantry \$4500, won by Houston Light Guard, Capt. F. A. Reichardt, commanding; third prize \$500, won by San Antonio Rifles, Capt. F. J. Badger, commanding. State drill, first prize \$1000, won by San Antonio Rifles, Capt. F. J. Badger, commanding; second prize \$750, won by Belknap Rifles, Capt. Robt. B. Green, commanding; third prize won by Sealy Rifles, Capt. Worthy Boyd, commanding; fourth prize \$300, won by Bryan Rifles, Capt. T. B. McQueen, commanding; fifth prize won by Artillery Light Guard of Galveston.

At Washington, D. C., in 1887, third prize \$1500, won by Belknap Rifles, Capt. Robt. B. Green, commanding.

At Paris, Texas, in June, 1887, first prize \$2500, won by San Antonio Rifles, Capt. F. J. Badger, commanding; second prize \$1000, won by Sealy Rifles, Capt. Worthy Boyd, commanding; third prize \$500, divided between Waco Light Infantry, Capt. R. H. Baker, commanding, and Grayson Rifles.

At Houston in June, 1887, first prize \$200, won by Austin Grays, Capt. N. P. Houx, commanding; second prize \$100, won by Brenham Light Guard, Capt. J. M. Byrnes, Jr., commanding; third prize \$50, won by Dallas Light Guard; special prize, \$250, awarded Houston Light Guard for making over 25 points better score than any other company. Prizes for companies who have never won prizes in an interstate contest against interstate companies: First prize \$250, won by Waco Light Infantry; second prize, \$150, won by Brenham Light Guard.

At Austin in May, 1888, interstate drill, first prize \$5000, won by Houston Light Guard, Capt. F. A. Reichardt, commanding; second prize \$2500, won by Belknap Rifles, Capt. Robt. B. Green, commanding; third prize \$1000, won by Sealy Rifles, Capt. Worthy Boyd, commanding. State drill, first prize \$500, won by Washington Guards, Capt. J. F.

Cummings, commanding; second prize \$300, won by Sealy Rifles, Capt. Worthy Boyd, commanding; third prize \$200, won by Austin Grays, Capt. N. P. Houx, commanding; fourth prize \$100, won by Fayette Light Guards, of La Grange, Capt. Geo. Wilrich, commanding. Texas Maiden contest, first prize \$350, won by Fayette Light Guard, Capt. Geo. Wilrich, commanding; second prize \$250, won by Fort Worth Fencibles, Capt. W. B. Ford, commanding; third prize, \$200, won by Texas Rifles, of Austin, Capt. W. H. Stacy, commanding; fourth prize \$150, won by Lee Guards, of Giddings, Capt. N. A. Rector, commanding; fifth prize \$100, won by Maxey Rifles, of Paris, Capt. T. E. Anderson, commanding. Artillery drill, second prize won by Dallas Artillery Co., Capt. A. P. Wozencraft, commanding. Cavalry drill, first prize won by Capitol City Cavalry Co., Capt. Wm. Von Rosenberg, commanding.

At Galveston in June, 1889 (Houston Light Guard barred), inter-state drill, first prize \$3000 and championship cup won by Belknap Rifles, Capt. Robt. B. Green, commanding; second prize \$1000, won by Sealy Rifles, Capt. Worthy Boyd, commanding. State drill, first prize \$1000 and gold medal, won by Brenham Light Guard, Capt. J. M. Byrnes, Sr., commanding; second prize \$750, won by Victoria Rifles, Capt. J. L. Sheppard, commanding; third prize \$450, won by Maverick Rifles, of San Antonio, Capt. Geo. B. Hines, commanding; fourth prize \$400, won by Fayette Light Guard, Capt. Geo. Wilrich, commanding; fifth prize \$350, won by Washington Guard, Capt. J. B. Aguilo, commanding; sixth prize \$300, won by Lee Guards, Capt. N. A. Rector, commanding; seventh prize \$250, won by Austin Grays, Capt. N. P. Houx, commanding; eighth prize \$200, won by Dallas Light Guard, Capt. C. Freeman, commanding. Maiden drill, first prize \$500, won by Victoria Rifles, Capt. J. L. Sheppard, commanding; second prize \$400, won by Brownsville Rifles, Capt. J. F. Cummings, commanding; third prize \$350, won by Maverick Rifles, Capt. Geo. B. Hines, commanding; fourth prize \$300, won by Sayers Rifles, of Bastrop, Capt. R. L. Batta, commanding. Artillery drill, first prize \$750, won by Dallas Artillery, Capt. A. P. Wozencraft, commanding.

At Indianapolis in 1890, second infantry, prize \$1000, won by Belknap Rifles, Capt. Robt. B. Green, commanding. First artillery prize won by Dallas Artillery Co., Capt. A. P. Wozencraft, commanding.

At San Antonio in July, 1890, highest score on inspection, handsome cup, Brenham Light Guard, Capt. J. M. Byrnes, commanding.

At Austin in July, 1891, first prize \$250 (infantry), won by Fort Worth Fencibles, Capt. W. B. Ford, commanding. First prize, silk guidon, for artillery, won by Dallas Artillery Co., Capt. F. V. Blythe, commanding. First prize, silk guidon, for cavalry, won by Rutherford Rangers, Capt. J. R. Waties, commanding. First prize (regimental drill), a flag, won by the Fourth Infantry, Col. A. J. Houston, commanding.

At Austin in July, 1892, first prize won by Fort Worth Fencibles,



CORP. J. C. GALLEHER.

(Gunner of the famous Dallas Artillery Company drill team which won at Galveston, with a score of 99 1-3 per cent, Corporal Galleher making a perfect score.)



Capt. W. B. Ford, commanding. Thirty uniforms awarded to each of the twelve companies making the highest score.

At Austin in July, 1893, first prize (infantry), \$200, won by Garity Rifles, Capt. P. C. Townsend, commanding; second prize \$75, won by Stone Fort Rifles, Capt. H. H. Cooper, commanding; third prize \$50, won by Governor's Guard, Capt. R. C. Roberdeau, commanding. Cavalry, first prize won by Stanley Rangers, Capt. T. N. Gates, commanding. Artillery, first prize won by Capt. F. V. Blythe, commanding. Band, first prize \$50, won by Sixth Regiment Band, Drum Major W. H. Huntingdon in charge. Thirty uniforms awarded to each of twenty-one companies, troops and batteries making highest scores.

At Austin in July, 1894 (infantry), first prize \$200, won by Fort Worth Fencibles, Capt. J. H. Chamberlain, commanding; second prize \$75, won by Garity Rifles, Capt. P. C. Townsend, commanding; third prize \$50, won by Boggess Volunteers of Saint Jo, Capt. S. C. Pedigo, commanding. Cavalry, first prize \$75, won by Stanley Rangers, Capt. B. C. Calvert, commanding. Artillery, first prize \$50, won by Brenham Field Artillery, Capt. Ben Schmid, commanding. Band, first prize \$25, won by Fifth Regiment Band, Drum Major B. W. Wright in charge. Champion Drill Company of Texas, first prize \$150, won by Rusk Rifles, Capt. W. B. Whitman, commanding. Regiment performing best tour of guard duty; first prize silver cup, won by Sixth Infantry, Col. M. S. Swain, commanding. Thirty uniforms awarded to each of thirty-eight companies, troops and batteries making the highest score.

At Little Rock in July, 1894, interstate drill, won by Sealy Rifles, Capt. Worthy Boyd, commanding; second prize (maiden contest), \$300, won by Governor's Guard, of Austin, Capt. R. C. Roberdeau, commanding. Artillery, second prize won by Dallas Artillery Co., Capt. F. V. Blythe, commanding.

At Houston in May, 1895, first prize \$250, won by Governor's Guard, Capt. R. C. Roberdeau, commanding; second prize won by Lloyd Rifles, of Fort Worth, Capt. A. B. Kelley, commanding. Artillery, first prize won by Dallas Artillery Co., Capt. F. V. Blythe, commanding.

At St. Louis in July, 1895, second prize \$1000, won by Belknap Rifles, Capt. Robt. B. Green, commanding.

At Tyler in July, 1896, first prize \$1000 and Galveston championship cup, won by Governor's Guard, Capt. R. C. Roberdeau, commanding; second prize \$500, won by Belknap Rifles, Capt. S. L. McAdoo, commanding. Thirty-five uniforms awarded to the twenty companies and troops that scored over 50 points.

At Houston (Camp Battalion Colored Infantry) in August, 1896, first prize thirty-five uniforms, won by Sheridan Guards of Houston, Lieut. John Sessums, commanding; second prize thirty-five uniforms, won by Excelsior Guards, of San Antonio, Capt. E. O. Bowles, commanding.

At San Antonio in July, 1897, interstate drill, first prize \$3000 and the Galveston championship cup, won by Governor's Guard, Capt. R. C.

Roberdeau, commanding; third prize \$500, won by Sealy Rifles, Capt. Worthy Boyd, commanding. State contest for best kept quarters, two first prizes of \$75 each, won by Houston Light Artillery, Capt. R. R. Roff, commanding; one second prize of \$50, and one second prize of \$25, won by Denison Rifles, Capt. W. B. Munson, commanding; third prize \$25, won by Lyons Sherman Infantry, Capt. D. B. Lyons, commanding. Best battery, first prize issue of two 3-2-inch B. L. rifles, won by Brenham Field Artillery, Capt. Ben Schmid, commanding. Best drilled cavalry troop, first prize \$250, won by Houston Cavalry, Capt. C. Towles, commanding. Best Band, first prize \$400, won by Second Infantry Band, Drum Major W. A. Jakel in charge; second prize \$200, won by Third Infantry Band, Drum Major P. De Bona in charge; third prize \$100, won by Sixth Infantry Band, Drum Major W. B. Wright in charge. Best regimental guard mount and guard duty, first prize regimental colors, won by Sixth Infantry, Col. M. S. Swain, commanding.

Regimental camps at Corsicana, Waco, La Porte and Sherman in July and August, 1900, ten additional rifles, sets of equipments and regulation uniforms offered to organizations attaining a score of 75 per cent or over in drill, discipline and inspection, won by all organizations of the Texas Volunteer Guard with exception of three companies. Highest score was made by Company A, Signal Corps, of Brenham, Capt. Theo. Schirmacher, commanding. Forty khaki uniforms offered to the five organizations in each of the above camps attaining the highest score in general efficiency, discipline and inspection. At Corsicana, Battery A, First Artillery, Capt. L. S. Flateau, and the following companies of Third Infantry: Company A, of Tyler, Captain Jno T. Bonner; Company E, of Dallas, Capt. E. H. Roach; Company D, of Marshall, Lieut. Holman Taylor, and Company F, of Paris, Capt. Joe W. Hawkins.

At Waco, Company A, Signal Corps, Capt. Theo. Schirmacher, and the following organizations of Second Infantry: Second Infantry Band, F. W. Eilers, chief musician; Company F, of Waco, Capt. F. O. Post; Company K, of Waco, Capt. W. G. Lacy, and Company D, of Marlin, Capt. W. T. Lenoir.

At La Porte, Battery C, First Artillery, of Brenham, Lieut. H. R. Schultz; Battery D, First Artillery, of Houston, Capt. Geo. B. Adams, and following organizations of First Infantry: Company H, of San Marcos, Capt. Eugene Green; Company A, of Houston, Capt. Geo. McCormick, and Troop A, First Cavalry, Lieut. W. K. Fowler.

At Sherman, following companies of Fourth Infantry: Company H, of Fort Worth, Capt. Phil M. Hunt; Company D, of Fort Worth, Capt. C. O. Elliott; Company A, of Decatur, Capt. R. M. Simmons; Company F, of Sherman, Lieut. Chas. H. Moody, and Company K, of Denison, Capt. Jefferson W. Howell.

The following prizes were offered to each regiment provided three-fourths of its companies make a score of 75 per cent or more, viz: One officer's saber and belt to each field and staff officer, and one national



DALLAS ARTILLERY COMPANY. (Deployed as it for action.)

colors (silk) and one regimental flag (silk). Each of the four infantry regiments won the prizes offered.

At Austin in July, 1901. No prizes. Inspection of arms, uniforms and quarters. Highest score in camp, Company A, Third Infantry, of Tyler, Capt. Jno. T. Bonner. Highest regimental score, Third Infantry, Col. P. C. Townsend, commanding. Artillery, Brenham Field Artillery, Capt. H. R. Schultz. Cavalry, Troop D, of Corsicana, Capt. W. H. Murphy. Signal Corps, Company A, of Brenham, Capt. Theo. Schirmacher. Bands, First Infantry Band, of Smithville, F. J. Navratil, chief musician. Trumpet Corps, First Infantry Trumpet Corps, of Gonzales, J. F. Goss, chief trumpeter.

**ENCAMPMENT OF THE TEXAS VOLUNTEER GUARD JULY 22 TO
30, 1902.**

Adjt. Gen. Thos. Scurry said in his report for 1901-1902 to Gov. Sayers, October 20, 1902:

"The Twenty-seventh Legislature at its second called session made an appropriation for camps of instruction which reads as follows:

"Transportation and maintenance of Texas Volunteer Guard for camp of instruction, \$10,000 for 1902 and \$10,000 for 1903.

"Provided, if any city in this State shall subscribe \$10,000 for said encampment, the city subscribing \$10,000 or more shall have the encampment, and the \$10,000 herein appropriated for the encampment secured by the largest bidder shall lapse into the treasury; and, provided further, that the Governor and Adjutant General shall make the award to the largest and best bidder."

"A circular was issued inviting the mayors of the cities and towns of Texas to make bids for an encampment of the Volunteer Guard for the summer of 1902. These circulars were published in the newspapers and mailed to the mayors of all cities and towns with a population of 2000 or over. No bids were received. An effort was then made to secure free transportation from the railroads, the appropriation not being sufficient to pay for both maintenance and transportation of the Texas Volunteer Guard for a division camp. A visit was made to many of the railroad managers, and after considerable correspondence the railroads, under protest, gave the desired transportation.

The camp was ordered at Camp Mabry, near Austin, where the State camp grounds are located, for July 22 to 30, 1902. It was thought an earlier date could not have been named without interfering with railroad excursions to the Democratic convention at Galveston.

* * * Field officers were detailed to accompany each troop train and assume command of the troops thereon, and to detail a guard of

sufficient size to carry out * * * general orders. * * * These officers reported that they had no difficulty in managing the men under them, both to and returning from the camp, and that no disorders occurred.

"Maj. Gen. W. H. Stacy, commanding the division, was assigned to the command of the camp, and proved himself a capable commanding officer. * * * His recommendations are worthy of consideration.

"A short time before this encampment your excellency requested Col. W. C. Forbush, Twelfth United States Cavalry, commanding the Department of Texas, to send as many regular troops of all arms of the service to Camp Mabry to participate in the encampment as possible. Col. Forbush kindly directed one squadron of Twelfth Cavalry to proceed overland to Camp Mabry, under command of Maj. Luther R. Hare, late colonel Thirty-third United States volunteers, afterwards brigadier general in the United States volunteer army, and whose gallant service in the Philippines is so well known. Capt. W. C. Caldwell, Twelfth Cavalry, and Lieut. W. I. Westervelt, Artillery Corps, arrived in Austin several days in advance of the arrival of troops and rendered this department valuable assistance in arranging for the camp.

"The squadron of United States cavalry and a large portion of the Texas Volunteer Guard arrived at Camp Mabry on Monday evening, July 21st. Those troops coming in on late trains arrived in the rain. It rained nearly every day during the camp, and on the last day or two the grounds were in very bad condition and the men suffered no small amount of discomfort and inconvenience, the company streets being perfect mud holes. However, each enlisted man had been furnished with a bed sack and straw for bedding, besides his blanket and rubber poncho. He was, therefore, able to keep himself comparatively dry. However, officers and men acted with fine spirit considering the conditions. The rain interfered, to some extent, with every character of instruction.

"Some of the prominent features of this camp were the reviews before your excellency, General Openheimer and the division commander; the field exercises conducted by Captain Caldwell, Twelfth United States Cavalry; addresses to officers by yourself, Hon. S. W. T. Lanham, General Hare, General Stacy; criticisms on field exercises by officers of the Inspector General's department and of the regular United States army, who acted as umpires; lectures on map reading and map making by Captain Caldwell and Lieutenant Westervelt, and athletics in the army by Lieutenant Cootes, all of the United States army; the visit of Col. W. C. Forbush, Twelfth United States Cavalry, commanding the Department of Texas, accompanied by his staff; Col. Peter J. Cleary, Assistant Surgeon General; Lieut. Col. John L. Clem, Deputy Quartermaster General Chief Quartermaster; Capt. Samuel B. Bootes, commissary, of his staff; and Major Thorpe, artillery corps, commanding the post at Fort Sam Houston; artillery target practice under supervision of Lieutenant Westervelt, being the first exercise of this character ever held at any encampment in the State; small arms practice under the

supervision of the inspector of rifle practice; program drills for battalions before a board of inspectors; the usual guard duty, attention to quarters, etc.; the good health and excellent order maintained in and out of camp.

"* * * This department and the Texas Volunteer Guard are under lasting obligations to Colonel Forbush for sending such a large body of regular troops to camp with our troops, and to the army officers in attendance for the valuable services rendered by them. The drills and good discipline of the regular troops were object lessons for the Texas Volunteer Guard."

Gen. Stacy's official report to Adjutant General Scurry, September 15, 1902, contained the following, among much else of interest:

"The average enlisted strength of the various organizations was somewhat larger than usual, and the aggregate attendance of the Volunteer Guard, as shown by the consolidated morning report, was 2732. To this should be added the headquarters band and four troops of the Twelfth Cavalry, U. S. A., comprising 315 officers and enlisted men, making a total attendance of all arms of 3047.

"* * * Most of the troops arrived during the afternoon and night of July 21st, and the remainder on the morning of July 22d.

"* * * A division hospital and a hospital corps was promptly organized under the direction of Col. Geo. R. Tabor, Surgeon General, and Lieut. Col. T. C. Ford, medical director of the division. Lieutenant Colonel Ford was, at his own request, placed on the retired list during the encampment, and his duties devolved upon Maj. A. B. Kennedy, surgeon Second Brigade, whose official report is respectfully referred to for particulars.

"The local management of the Young Men's Christian Association established headquarters in the camp, which was made good use of by the men as a reading and writing room.

"The discipline of the camp and the general conduct of the officers and enlisted men in camp and in the city of Austin was most excellent. The sobriety was marked. These results were largely due to the intelligent co-operation of the commissioned officers and the rapidly increasing practical knowledge and self-respect of the enlisted men. While there was a magnificent disposition on the part of all towards proper conduct, the stringent measures for the maintenance of order inaugurated at the opening of the camp were not relaxed in the slightest. Company commanders were required to report all absentees at every stated roll call. Provost duty was faithfully performed in camp and in the city of Austin, and a cavalry patrol swept the city clear of all stragglers at 12 o'clock each night during the encampment.

"No disorderly conduct on the part of the troops en route to or returning from the camp has been reported; and on the whole, I am gratified to report that the general discipline of the camp of instruction for 1902 fulfilled the highest reasonable expectations of volunteer soldiery.

"Lyceums were held at division headquarters twice each day for the

instruction of officers, and at the various regimental headquarters once each day for instruction of non-commissioned officers. Interesting lectures on practical subjects were delivered by United States army officers present, and the field exercises undertaken each day were fully explained and criticised for the benefit of all.

"Regular drills were prescribed twice each day, one hour and a half in the forenoon and one hour in the afternoon. All troops participated unless excused for other duty. The character of drills consisted mostly of extended order and battle exercises. In addition, each battalion was required to drill the program prescribed. * * *

"Field exercises under the efficient direction of Capt. F. M. Caldwell, Twelfth United States Cavalry, chief umpire, were carefully planned and carried out as well as prevailing weather conditions permitted. Each infantry company in the division had the experience of a practice march, involving patrol work and contact with a represented enemy. The troops were furnished with blank ammunition, and all company commanders were required to submit written reports on the exercises participated in together with topographical sketches of the country traversed. An experienced officer was detailed to accompany each command, as umpire, and all umpires were likewise required to submit written reports in the nature of criticisms on the exercises witnessed by them.

"These exercises proved highly instructive to the troops engaged, and the reports of the commanding officers, together with the criticisms of the umpires, were made the subject of discussion at the officers' lyceum daily.

Field exercises on a larger scale were projected, but, with the exception of a sham battle, had to be abandoned on account of the continued rains during the latter part of the encampment.

"On Monday, July 28th, an exercise in the nature of a sham battle was carried out under the direction of Capt. F. M. Caldwell, chief umpire. This exercise being intended for the edification of the public, on account of the necessity of maneuvering the troops within the limited space in full view of the people, it is practically impossible to assume anything like normal conditions or to carry out proper tactical dispositions. However, it serves to accustom the troops to the excitement of conflict, and to improve fire discipline, which is exceedingly important. * * * All drills were suspended on Sunday, July 27th. Religious services were provided in the afternoon, conducted by Capt. J. R. Carter, chaplain of the Second Infantry, assisted by Capt. Walter Smith, chaplain of the First Infantry. Practically the entire command was in respectful attendance.

"Guard was mounted daily in each regiment. For the purpose of fixing responsibility for lack of instruction, the daily guard in each infantry regiment was composed of one full company. There was some slight improvement noticeable in this important duty, though its performance is still far from satisfactory. The prevailing wet weather

interfered greatly with proper instruction of the guards, and in performance of sentinel duty.

"* * * I do not hesitate to recommend that at future camps of instruction every company failing to show a proficiency of at least 60 per cent in guard duty should be promptly mustered out of the service.

"* * * Capt. Raymond Kellar, A. D. C. (Div.), was detailed to act as provost marshal.

"The camp proper was well policed at all times, and the health of the entire command was most excellent.

"Small arms practice was conducted under the efficient direction of Lieut. Col. O. C. Guessaz, inspector of small arms practice, assisted by Maj. A. W. Speight, I. S. M. P. Twelve shots were fired by each man at 100 yards range, two shots were allowed for trial shots and ten for the score. The inspector reported that the ammunition issued was of a very poor quality—reloaded shells and poor grade of powder used. However, it sufficed very well for the short range used.

"Results of small arms practice in the guard during the past three years show conclusively that the old time Texas conditions, general familiarity with firearms, no longer obtains. A large percentage of the new recruits each year evince absolutely no knowledge of or experience in rifle practice. It is, therefore, extremely important that they should be properly instructed and given abundant practice at their home stations, as well as at the camps of instruction. A soldier who does not know how to shoot is of no practical value.

"Aiming and sighting drills can be satisfactorily held in the company armories and at all points where any sort of range can be obtained. Companies should have frequent target practice with fixed ammunition. If nothing better can be secured, I would recommend gallery practice, with small calibre rifles, to be held in company armories.

"Ranges of 200 and 400 yards should be provided at the State encampment grounds for those men who have continuously served in the guard and are sufficiently proficient in marksmanship to warrant the increased range. Although there are quite a number of excellent marksmen in the guard, the constantly shifting membership and exceedingly bad shooting of the new recruits keep the average scores very low.

"* * * For the first time in the history of the guard, the battalion of field artillery had target practice. Range of about 900 yards was secured, about two miles northwest from the camp, and twenty-two shots, solid and shrapnel, were fired with gratifying results. The practice was conducted under the efficient direction of First Lieut. W. I. Westervelt, Artillery Corps, U. S. A., assisted by a noncommissioned officer of his battery.

"* * * Khaki uniforms were issued to the troops during the encampment. The issue was very gratifying to the men, and very serviceable in carrying out the field exercises where it was necessary to have the opposing sides uniformed differently.

"* * * I am highly gratified to feel that it is no longer possible

for an officer without qualifications to hold a commission in the Texas Volunteer Guard.

"* * * The equipment of the guard is now the best in its history, due to the judicious application by the Adjutant General of the increased appropriation for the National Guard made by the general government. If the State Legislature could be prevailed upon to make adequate appropriation for armory rent of companies at their home stations, and for transportation and subsistence of the troops at a two weeks camp of instruction each year the Texas Volunteer Guard would very soon take high rank among the various State guards of the Union."

A camp of instruction of the Battalion of Colored Infantry was held at Houston, August 7-14, 1902, with Maj. James P. Bratton (colored) in command. A board of inspectors, composed of white officers, was detailed to make a general inspection of drill, guard duty, etc., and at least one of the board was required to visit the camp each day for the purpose of conducting the school for officers and such exercises as the board might consider advisable.

General Scurry said: "During the past two years camps of instruction have been made possible by the railroads of Texas furnishing free transportation to the officers and enlisted men of the Texas Volunteer Guard to and from Camp Mabry. This action on the part of the roads was exceedingly liberal, for without such action it would not have been possible to have held these camps of instruction. At a rate of one cent per mile this transportation would have cost the State over \$10,000. The railroads of the State of Texas naturally expect protection, and the statement frequently made that the railroads ought to give this transportation on account of the protection they may likely need from the Texas Volunteer Guard is not just. The railroads should not be expected to furnish the State free transportation for its troops any more readily than a merchant should be expected to furnish free subsistence. The officials of the various railroads did everything possible to facilitate the movement of troops to and from both encampments at considerable expense and annoyance to their respective companies. Nearly all of the railroad managers in agreeing to furnish this transportation for the camp in 1902 stated that it would be the last time. I am sure that every officer and enlisted man of the Texas Volunteer Guard is grateful to them for their liberality.

"* * * In reference to future camps of instruction I would respectfully recommend that regimental camps be held in 1903; that brigade camps be held in 1904; and that a division camp be held in 1905, in order to give the various administrative officers opportunity to exercise independent authority and their executive ability. The smaller camps, if held at different times, will lessen the probability of interference by rain. The smaller bodies, if acting alone, can accomplish more in the way of instruction of company officers and enlisted men and better equip them for work at larger camps. The issue and return of camp equipage, blankets, etc., for a division camp is necessarily accompanied



1. FIRST LIEUT. J. M. SCALES. 2. CAPT. F. A. LOGAN. 3. FIRST LIEUT. T. H. CAMPBELL.

by more confusion than the issue and return of like articles for smaller camps, for the reason that nearly all troops arrive and leave near the same time and frequently at night. The task of issuing and receiving such a large amount of property within such limited time is too great for officers of limited experience to properly accomplish."

A BRIEF HISTORICAL SKETCH OF THE FIRST BATTERY FIELD ARTILLERY, T. V. G. ("THE DALLAS ARTILLERY CO.")

CAPT. F. A. LOGAN, COMMANDING.

The Dallas Artillery Company,¹ of Dallas, Texas, was organized in February, 1879, under the name of the Queen City Guards. It was an infantry company and was commanded by Capt. G. E. Felton. Under the command of Captain Felton it attended several State and interstate drills and made a creditable showing, winning a number of prizes. It also built its first armory, which was accomplished not without considerable difficulty, and upon the completion of same found itself heavily in debt.

In 1884 Captain Felton resigned and A. J. Houston, second son of Gen. Sam Houston, was elected captain. Shortly after that time the company's name was changed to the Dallas Rifle Company, and soon after Captain Houston's election steps were taken to change the company into a light battery of artillery.

During the year 1884 one three-inch rifle was added to the armament of the company, and in the spring of 1885 the company gave up small arms and devoted its efforts entirely to artillery, and changed its name to the Dallas Artillery Company, which name it has borne ever since.

In May, 1885, the battery attended the State encampment at Lampasas, and was commended for the admirable neatness of its quarters, the excellent discipline maintained among its members, and the general efficiency of its drilling.

In 1886 the battery was ordered to Fort Worth to protect private property against the strikers during the railroad riot, and took with it one three-inch rifle and a number of small arms, doing duty both as infantrymen and artillerymen for three days, after which time it was ordered home, the riot having been suppressed.

In 1886 the battery again attended an encampment at Lampasas, and in August, 1886, it attended an interstate drill at Galveston, Texas, where it made a very good record.

In October, 1886, Captain Houston was elected colonel of the Fourth

¹ This excellent article was prepared for the "Year Book" (in compliance with a special request) by one familiar with the record of this veteran and historic organization of which all Texas is justly proud.

Texas Infantry regiment, in which position he afterwards distinguished himself and the regiment to which he belonged. First Lieut. Donald Hinckley was elected captain in his place, but pressing business prevented him from devoting his time to the battery, consequently he resigned, and in January, 1887, A. P. Wozencraft was elected captain of the battery. At this time the debt due by the battery on its armory had considerably increased, and the membership of the company had fallen off until there were only fourteen active members.

In May, 1888, the battery attended the interstate drill in Austin, Texas. It drilled against Battery B, Washington Artillery, of New Orleans, and the Brenham Field Artillery, of Texas, and won a prize of \$500. The following week it attended an interstate drill at Nashville, Tenn. En route from Austin to Nashville it had the misfortune to lose its equipment and uniforms. The report of the judges show that the battery made a splendid record in the drill, but it was only allowed 50 out of a possible 100 on inspection, as the men were compelled to drill in citizens clothes.

In the fall of 1888 the old armory property was sold, the debt cleared off, and a new armory was erected. The new armory is situated on a lot of ground 100x280 feet in size, on top of a symmetrical and picturesque hill overlooking Dallas. The armory is 60x130 feet in size. There are rooms for uniforms, equipment, harness and stores. In the second story of the building there is a capacious hall. The armory cost \$6300. All this armory property is paid for and is of the value of about \$10,000, and belongs exclusively to the battery.

Early in 1889 the battery procured a twelve-pounder Napoleon gun and another three-inch rifle, with caissons and equipment, and began in earnest to perfect itself as a military and social organization, and since that time many pleasant social entertainments and exhibition drills have been given in its beautiful armory.

In May, 1889, the battery attended an interstate drill at Galveston, Texas, given on the occasion of the celebration of the fiftieth anniversary of the founding of that city. In competition it took the first prize of \$750, making a score of 99 1-3 out of a possible 100, which was stated by the judges to be so nearly perfect as to be almost beyond criticism, and is the most brilliant score ever made by any military company in any branch of the service on any prize drill field. On this occasion Capt. A. P. Wozencraft was awarded a handsome gold-mounted sword, which was conferred by the drill association upon the captain making the best individual score in the interstate competitive drill. The gunner, Corporal J. C. Galleher, made a perfect score. The roster of enlisted men composing this splendid drill team is as follows: Corporal J. C. Galleher, Corporal F. V. Blythe, Privates F. S. Roberts, F. A. Wolfram, F. A. Logan, E. J. Van Gorder, J. C. Shaw, E. G. Myers, and L. Danneman.

In 1889 the battery acted as an escort to the ex-Confederates of Dallas, Texas, at the funeral of Jefferson Davis, at New Orleans, and



1. F. S. ROBERTS. 2. W. B. BLEWETT. 3. C. F. EWING. 4. CAPT. WOZENCRAFT. 5. J. C. SHAW. 6. S. M. HART. 7. M. COHN. 8. MISS LILLIAN REEVES, Maid of Honor. 9. MRS. WILSON, Chaperon. 10. MISS CLARE SHOVER, Sponsor. 11. MISS MAE ARMSTRONG, Maid of Honor. 12. CORP. J. C. GALLEHER. 13. F. A. LOGAN. 14. E. G. MYERS. 15. SERGT. A. M. EBERLY. 16. EDW. S. EBERLY.

was accorded the place of honor to the left of the regiments forming the escort.

In 1890 the battery attended the encampment at San Antonio, and in 1891 attended the interstate drill at Indianapolis, Ind., and in a hotly contested field, won the first prize, \$750, showing it to be entitled to rank first among the light batteries in the volunteer guard of the United States. An enthusiastic welcome was tendered the company on its return from Indianapolis. A large delegation of citizens met the battery at the train and Col. W. L. Crawford, in their behalf, made an address to the company in which he expressed the gratification of the citizens of Dallas on account of the success of the company and the warm admiration and esteem which the people of the city had for the members of the battery. A picture made from a photograph of this drill team, together with their sponsor, chaperone, and maids of honor, who were all members of Indianapolis' best society, accompanies this article. Name and rank of Indianapolis team: Captain A. P. Wozencraft, Corporal J. C. Galleher, Corporal F. V. Blythe, Privates F. A. Logan, Ed. S. Eberly, A. M. Eberly, H. H. Freeman, S. M. Hart, W. B. Blewett, and S. H. Taber.

In July, 1894, the battery attended the interstate drill at Little Rock, Ark., under command of Captain Blythe, making a score of 91.6 per cent, winning second prize. Captain Blythe resigned in favor of Colonel Houston accepting the first lieutenancy, and commanded the team in the next two interstate drills.

In May, 1895, the battery attended the interstate drill at Houston, winning first prize, making a score of 97 per cent, and in July of the same year at the interstate drill at St. Louis, making a high score and winning third prize. During this year Capt. F. S. Roberts commanded.

In 1896 Captain Wozencraft was again unanimously elected captain, and served until January, 1897, resigning, not having the time to devote to the battery. Captain Wozencraft afterwards served as Adjutant General, resigning the office, and was made brigadier general in command of the Second Brigade, retiring in 1901 with the rank of brigadier general.

In 1897 Capt. W. B. Blewett was in command of the battery, attending the interstate drill at San Antonio, but not competing for the prizes on account of not having serviceable harness. Captain Blewett was succeeded early in 1898 by L. S. Flateau, who commanded the battery until promoted in July, 1901, to major of the artillery battalion.

In 1900 the battery attended the regimental encampment at Corsicana, Texas, under command of Captain Flateau, making a score of 98 per cent. The following is an extract from the report of the inspectors and judges:

"In relation to this battery, we desire to say that it is splendidly trained, well officered, thoroughly disciplined, and is deserving of much consideration. We recommend that as soon as it may become possible, that this battery be equipped with modern pieces, to take the place

of those they now possess, which are old, antiquated, and not in perfect condition by reason of long service."

In August of the same year the battery attended the regimental camp at Sherman, making a score of 97 per cent. The following is an extract from the report of the inspectors and judges:

"In regard to battery 'A,' we consider it a very fine organization; always ready and willing to do their share of work, and even more if necessary. Their quarters were, on all occasions, in perfect order. We recommend, if possible, that this organization be supplied with up-to-date guns, as it is an honor to the volunteer service."

The battery was inspected at both Corsicana and Sherman by Capt. F. W. Sibley, captain Second United States Cavalry, and the following is an extract from his report to the inspector general of the United States army:

"The battery did good work, especially in the dismounted manual of the piece. The mounted drills were not so satisfactory, as the horses were hired for the time being, and were without training. I had little opportunity to see these drills. The guns, while old and of an obsolete pattern, were clean and the brasses bright, while the good discipline and military appearance of the personnel of the battery were noticeable."

In September, 1900, the battery was in charge of two relief trains for the Angleton and Velasco storm sufferers; one under command of Captain Flateau and the other under Lieutenant Hilkeine, reporting to its home station after a week's service.

In 1901 Captain Flateau was promoted and Capt. F. A. Logan, a veteran of eighteen years continuous service in all lower grades, then assumed command.

At the division encampment at Camp Mabry, near Austin, Texas, in 1901, the battery reported with seventy-eight men and three officers, and again won special mention from the inspector general's department.

During the same year the battery attended a regimental encampment of the Fourth Infantry at Sherman, Texas, where the assistant inspector general made another and a more flattering report on their discipline, drill, appearance, and personnel.

In the following autumn the battery commander sent a platoon to the West Texas Fair, at Abilene, Texas, under his efficient first lieutenant, J. M. Scales, whose report shows a most gratifying record while on that duty.

July, 1902, found the battery again in camp at Camp Mabry. On account of the temporary absence of the major, the command of the artillery battalion devolved upon Captain Logan, as ranking captain, and placed First Lieutenant T. H. Campbell in command of the battery until the arrival of the major, when Lieutenant Campbell was detailed as instructor of the Second and Fourth Batteries. At this camp the First Battery made the best score of all the organizations in either branch of the service.

The photograph from which the illustration on an accompanying page

was made, was taken at this camp. It shows the battery prepared for action, and the commander may be seen at his post in the center, mounted on a white horse.

April 19, 1903, at target practice near Eagle Ford, Texas, all but the first shell struck the target. The firing was with a 3.6 field gun, range 1700 yards. This shows a fine score, much above the average.

On the 25th of April, the assistant inspector general, Lieut. Col. J. E. Muchert, inspected the battery in its armory and the following is an extract from his report to the Governor: "Appearance, first class; care of property, good; drill, etc., excellent. This organization is first class and I recommend favorable mention from your office." The Adjutant General writing on the subject of the above recommendation said in part: "I am very much pleased, indeed, to inform you of the above good opinion on the part of Colonel Muchert. I am delighted to hear that your battery is in such good condition."

On May 8, 1903, the battery was inspected in its armory by Capt. Hugh D. Berkeley, Twelfth Cavalry, U. S. A., for admission into the new National Guard, provided for by last Congress as auxilliary to the army, and while Captain Berkeley's report is not yet published, the battery confidently expects to be mustered in, at the proper time, when the old Texas Volunteer Guard will be absorbed into the National Guard.

Unofficial advices have been received that the battery is to be armed completely anew, placing it on an equal footing with any in the National Guard.

At 7:10 p. m. May 26, 1903, Captain Logan received orders to embark at the Union station at 8 p. m. with his command for riot duty at Kaufman, Texas, and while the hour was most inopportune, especially in a city as large as Dallas, for prompt obedience, the battery reported at the railway station as ordered, being obliged to travel three miles from its armory, and some of the men had to double the distance. This is considered to be a first class race against time, and shows the excellent quality of the membership and their efficient discipline. With this service the First Battery, Field Artillery, T. V. G., has probably seen its last day of active service, but the organization will continue to live and serve loyally and promptly as the First Battery, Artillery Corps, Texas National Guard.

The muster roll now shows an enlisted force of fifty-eight men, which can easily be trebled if desired.

The present officers are as follows: F. A. Logan, captain; J. M. Scales, first lieutenant; T. H. Campbell, first lieutenant; H. J. Moffatt, second lieutenant.

COMPANY "A" (PIONEER) SIGNAL CORPS, T. V. G.
BRENHAM.

The service of military communication is entrusted to a special department of the army designated the Signal Corps. The Signal Bureau was made a part of the United States army through the influence of Jefferson Davis while he was secretary of war under Pierce's administration (1853-57). Like the Corps of Engineers, its work is essentially scientific, including all the electrical work of the army and its aeronautics.

Company "A," Signal Corps, Texas Volunteer Guard, or as it is known to the citizens of Brenham, the Pioneer Signal Corps, held, at the time of its organization, the distinction of being the first volunteer signal corps in the South.

To Maj. Theo. Schirmacher, now chief signal officer of the Texas Volunteer Guard, but at that time first sergeant of Battery "C," Field Artillery, T. V. G., is due the credit for conceiving the idea of organizing a signal corps to become a part of the Texas militia. A sufficient number of young men were interested in the movement to effect organization, and Sergeant Schirmacher called a meeting for December 13, 1898, which resulted in the formation of the above corps.

The first officers of the company were composed of the following gentlemen: Captain, Theo. Schirmacher; senior first lieutenant, Sam Rouse; junior first lieutenant, L. T. Rogers, and first sergeant, I. Nowakowsky.

As this corps was organized immediately after the Spanish-American war, it also bears the distinction of being one of the first companies sworn into the service of the State of Texas after the reorganization of the Texas Volunteer Guard in 1898.

The company is now in a most prosperous condition. Its quarters are situated upon Main street in one of the largest and most conveniently located halls in Brenham. The members assemble for instruction every Tuesday and Friday nights and hold their regular business meetings upon the first Tuesday night in each month. For those members who take an interest in social affairs, a Signal Corps Social Club has been made a feature of the organization. The object of this club is to provide entertainment for its members and their friends, and to promote higher social relations between the public and the citizen soldiery.

The present equipment of this corps consists of two heliograph outfits, thirty-five Springfield carbines, thirty-five complete blue and thirty-five complete khaki uniforms, two telegraph outfits, and a full set of signaling flags.

Briefly stated, the duties of the signal corps are to establish and maintain communication between the territorial components of the nation, by submarine or overland telegraph; between its military posts and sub-

divisions and its seacoast defences and their accessories, by submarine or overland telegraph and telephone; with its armies in the field, wherever they may be located; between the subdivisions of its armies in camp, in campaign and in battle, by visual signals and by flying or semi-permanent telegraph and telephone lines; and the gathering of such valuable military information as its command of the channels of communication may render possible. As this resume indicates, its work embraces the construction and operation of all military telegraph and telephone lines, the manipulation of submarine cables, the operation of captive balloons, visual signaling, and telegraph censorship. To make a long story short, the signal corps may be termed the eyes and ears of the army.

As the duties of signalmen often call them to the most advanced positions of the army during a battle, they must necessarily have some means of protecting themselves against the enemy, consequently a signalman's arms consist of a revolver, a short knife resembling the Cuban machete, and, when mounted, he is also provided with a carbine.

The nature of a signal corps drill is to practice the sending of messages by heliograph and flag signaling, the laying of field telegraph and telephone lines, road sketching, military map reading and the practice of all the arts that will lead to the security and information of the army.

The first camp of instruction attended by Company "A," Signal Corps, was in Waco in the year 1900. At this encampment the company had the proud distinction of making 100 per cent in its general average, the highest average score any company of the Texas Volunteer Guard has ever made at an encampment.

The report of the board of inspectors at the above camp contains the following complimentary remarks:

"First section of Company 'A,' Signal Corps, of Brenham, under command of Lieutenant Rogers, was in attendance and we are pleased to report that for soldierly bearing and conduct, for discipline and efficiency in their line of duty, this organization deserves the highest consideration, and that they are a great credit to the Volunteer Guard and to the State. They gave us the benefit of their skill and efficiency in the field, and several exhibitions in camp, and we found them worthy of most favorable mention."

When it is considered that only one section, or half the company, was permitted to attend the above camp, the other section having been ordered to the La Porte encampment, their score secured is all the more creditable.

Company "A," Signal Corps, has attended and secured the highest general averages at the following encampments of the Texas Volunteer Guard:

Second regimental encampment, Waco, Texas, July 16 to 21, 1900.
First regimental encampment, La Porte, Texas, July 22 to 30, 1900.
Division encampment, Camp Mabry, Texas, July 19 to 27, 1901, and
division encampment, Camp Mabry, Texas, July 22 to 30, 1902.

The corps also attended and participated in the reception of President McKinley upon the occasion of his visit to Austin, May 3, 1901. It was the signal corps' duty on that occasion to signal the arrival of the president's train at the depot, and to notify the artillery, which was stationed in the capitol grounds, of the proper time to commence firing the president's salute.

The company always takes special pride in lending their presence to every local celebration of a national or State holiday, and is ever willing to assist in perpetuating remembrance of the achievements of those who gained the liberties we now enjoy.

Unlike a great many military organizations, the signal corps has always been self-sustaining. It has never requested, or received, a donation from any person not a member of the company. This policy has won for it the high respect of the citizens.

The signal corps' services have only been requested once to assist the civil authorities in upholding the laws of Texas, and upon that occasion the company responded promptly and rendered all the assistance necessary as will be seen from the following extract from the Adjutant General's report to the Governor of Texas:

"On September 23, 1901, the sheriff, by your directions, ordered Company 'A,' Signal Corps, Capt. Theo. Schirmacher, commanding, of Brenham, to Somerville to stop rioting between the races at that point, caused by the employment of negro brakemen by the Gulf, Colorado & Santa Fe Railway. The company received the order at 11:30 p. m., and in forty-five minutes twenty-two officers and men assembled and boarded the northbound Gulf, Colorado & Santa Fe train. Two white men and one negro had been wounded. After arriving at the depot Captain Schirmacher heard a number of shots in the outskirts of town, and a detail under Lieutenant Nowakowsky was sent out to ascertain the cause. He reported that a crowd of men and boys had been shooting into a cabin in which were a few negroes, including the one wounded. Captain Schirmacher sent a detail of eight men to guard the house, the crowd being dispersed. The signal corps was relieved from duty at 4:30 a. m. by Company K, First Infantry, of Caldwell."

Company "A," Signal Corps, is at present commanded by the following officers: Captain, I. Nowakowsky; senior first lieutenant, T. D. Affleck, and junior first lieutenant, Jack H. Wyatt.

Captain Nowakowsky was born in West Prussia, October 29, 1869, and immigrated to this country with his parents in the year 1880. After several years study in the Brenham public schools he attended St. Edward's College, Austin, Texas, at which he completed his education. Upon his return from college he secured a mercantile position and fitted himself with a practical business education. With the knowledge thus gained he entered business for himself in the year 1892, and he now has one of the most complete grocery establishments in Brenham. The following is an outline of Captain Nowakowsky's military career: Private Company D, Second Infantry, October 10, 1889; corporal March 15,

1892; sergeant June, 1894; private Company A, Signal Corps, December 13, 1898; sergeant January 2, 1899; first lieutenant February 6, 1900; captain July 1, 1902.

Senior First Lieutenant T. D. Affleck was born December 28, 1880, near Gay Hill, Washington County, Texas. He moved to Brenham with his parents in the year 1889. His education was secured through the Brenham public schools, upon the completion of which he entered the employ of a mercantile firm. He is at present traveling in the interest of the International Correspondence Schools. Lieutenant Affleck's military record is as follows: Private Company A, Signal Corps, December 13, 1898; corporal, February 12, 1900; sergeant, May 24, 1901; first lieutenant, July 2, 1902.

Junior First Lieutenant Jack H. Wyatt was born June 23, 1875, at the old town of Washington, Texas, which was also the birth place of Texas independence. He is at present in the employ of Mistrot Bros., of Brenham, with which firm he holds a good position. Lieutenant Wyatt's military record is quite extensive, as will be seen from the following: Private Company B, Third Infantry, 1895; corporal Company C, Second Infantry, U. S. V., May 3, 1898; sergeant, September 1, 1898; mustered out United States Volunteers at Dallas, November 30, 1898; Private Company C, Second Infantry, T. V. G., November, 1899; second lieutenant, January 8, 1900; private Company A, Second Infantry, March 13, 1901; first lieutenant, June 19, 1901; captain, September 6, 1901; Private Company A, Signal Corps, October 7, 1902; junior first lieutenant, January, 1902.

ROSTER OF COMPANY.¹

Name	Nativity	Age	Occupation	Enlisted
Capt. I. Nowakowsky.....	Germany	34	Merchant.....	Dec. 13, 1898
Lieut T. D. Affleck.....	Texas	22	Solicitor.....	Dec. 13, 1898
Lieut. J. H. Wyatt.....	Texas	28	Salesman.....	Oct. 7, 1902
Q. M. Sergt. W. W. Dunlap..	Texas	27	Plumber.....	July 30, 1901
Sergt. A. Lindemann, Jr..	Texas	21	C. B. maker	Dec. 13, 1898
Sergt. F. R. Luhn.....	Texas	21	Clerk.....	July 4, 1899
Sergt. C. Bieberstein.....	Texas	23	Printer	Jan. 19, 1900
Sergt. R. Bieberstein.....	Texas	22	Painter.....	Dec. 13, 1898
Corp. W. Schawe.....	Texas	24	Clerk.....	May 1, 1900
Corp. Jesse Schram.....	Texas	21	Saddler.....	Jan. 18, 1901
Corp. A. H. Schroeder....	Texas	23	Clerk.....	July 2, 1901
Priv. Rob't Seifert.....	Germany	21	Shoemaker..	April 17, 1901
Priv. J. J. Qualls.....	Texas	23	Clerk.....	Jan. 7, 1902
Priv. H. M. Wilkins.....	Texas	19	Stenographer	Feb. 11, 1902
Priv. A. E. Werner.....	Texas	26	Clerk.....	Feb. 22, 1902
Priv. Geo. Zeiss.....	Texas	24	Cotton clerk	Feb. 18, 1902
Priv. Sam Muery.....	Texas	21	Electrician..	Feb. 11, 1902
Priv. Rob't Chisolm.....	South Carolina.....	19	Stenographer	Feb. 21, 1902
Priv. A. E. Becker.....	Texas	19	Student.....	June 17, 1902

¹The foregoing article, in response to a request for its preparation, was furnished the "Year Book." Only slight verbal changes were made in the manuscript before handing it to the printer.

ROSTER OF COMPANY—continued.

Name	Nativity	Age	Occupation	Enlisted
Priv. E. L. Day, Jr.....	Texas	19	Student.....	July 15, 1902
Priv. T. B. Botts, Jr.....	Texas	19	Abstractor.....	Aug. 12, 1902
Priv. A. Schubert.....	Texas	23	Clerk.....	April 4, 1902
Priv. Max Schirmacher.....	Texas	19	Student.....	Oct. 7, 1902
Priv. H. Gardner.....	Texas	18	Student.....	Feb. 3, 1903
Priv. J. W. Richardson.....	Texas	23	Bank clerk.....	Feb. 6, 1903
Priv. Ed Bieberstein.....	Texas		Painter.....	March 3, 1903
Priv. Julius Lindemann.....	Texas		Mechanic.....	March 3, 1903
Priv. Jno. Weise.....	Texas	21	Farmer.....	Feb. 18, 1903

TEXAS RANGER FORCE.

Adjutant General Scurry said in his report of October 20, 1902:

"The Act of the Twenty-seventh Legislature to provide for the organization of a 'Ranger force' for the protection of the frontier against marauding and thieving parties, and for the suppression of crime throughout the State, etc., went into effect on July 8, 1901, on which date the officers and enlisted men of the frontier battalion were honorably discharged from the service and the ranger force was organized. It is composed of four companies with letter designations of A, B, C, and D. Each company consisting then of one captain, one sergeant and eight privates. The following officers were commissioned to command the companies: J. A. Brooks, captain Company A; headquarters, Alice, Texas. W. J. McDonald, captain Company B; headquarters, Amarillo, Texas. J. H. Rogers, captain Company C; headquarters, Laredo, Texas. Jno. R. Hughes, captain Company D; headquarters, Fort Hancock, Texas.

"Each company commander was instructed to enlist the number of men designated above; to be careful to enlist only such men as are courageous, discreet, honest, of temperate habits, and of respectable families, and to forward muster rolls and oaths of service to this office. L. P. Sieker was commissioned as captain and quartermaster.

*** * * The appropriation of \$30,000 per annum will maintain a force of thirty-two officers and men of the ranger force; provided the travel on railroads is not excessive. While the railroads have always honored every requisition for free transportation for rangers, it is not possible for rangers to move on trains with rations and tenting and cooking outfits, hence the necessity of paying hotel bills, which increases the expense of maintenance considerably. Therefore the force as above organized was reduced in number.

"The conditions continue as heretofore in reference to a large number of the criminals of Texas and of other States, when they commit felonies they usually make a rush for Mexico, and the reverse is the case with the criminals of Mexico. The Rio Grande country affords excellent abiding places for this class.

"While the amount of stolen stock recovered during the past two years has not been as great as in previous years, the rangers have, nevertheless, been kept busy as the following statement taken from exhibit A will indicate:

"Total number of miles traveled since November 1, 1900, 155,041; average number of miles traveled each month by the force, 7047; total number of scouts made, 748; average number of scouts made each month, 34; total number of arrests made, 602; average number of arrests made each month, 27.

"The fact that the rangers are kept on the move has a wonderfully deterrent influence over thieves,¹ who are unable to keep trace of them, and constantly fear being surprised and captured by them. Many of the scouts made by the rangers are in pursuit of fugitives from justice, which requires hard riding, night and day. They are frequently thrown into positions which require good judgment, quick action and undoubted courage. They are frequently required to trail criminals, who are known to be without fear, desperate, and with a knowledge of the country as good as that of the ranger. To the credit of the force it can be said that they never refuse to face a danger when duty requires it. The moral effect of their presence in any disturbed district is well known.

"The conditions in the West and Southwest are very different from the conditions in other portions of the State. The counties are large and it is almost impossible for the sheriff and his few deputies to cover the territory in his county necessary to arrest criminals before they reach the adjoining counties. The fees received by the sheriff do not warrant him in going to the expenses usually incurred by sheriffs of thickly settled counties in apprehending criminals. He can not employ so many deputies; telegraph and telephone lines are not as numerous, and he can not afford to travel the distance and take the time necessary to follow a fugitive remote from the county site. The rangers stand ready to help the civil authorities anywhere in the State, and more particularly any sheriff who may not have the strength to cope with unlawful element of his county. In some counties feuds exist which are difficult for the sheriff and his force to control on account of his actual or suspected sympathy with one faction or the other. In such counties the ranger has been of incalculable benefit in restoring peace and good order."

¹ Gov. Sayers, in his message to the Legislature January 16, 1903, said: "The services of the Rangers have been altogether satisfactory. They have been very active, indeed, and always equal to every emergency. Their value in the apprehension of criminals and the protection of life and property can hardly be exaggerated. They are a necessity, and the force should be maintained."

Then follows a resume of important and hazardous services performed by the ranger force. The Twenty-eighth Legislature appropriated a total of \$56,000 for the support of the force for the two years ending August 31, 1903.

MILITARY ORDER OF FOREIGN WARS OF THE UNITED STATES.

This organization is national in its scope and is designed to embrace in its membership all commissioned officers of the Continental or United States regular, or volunteer, armies who participated in any of the wars waged by our people with foreign powers, beginning with the American Revolution, and the lineal descendants of such officers.

The officers in such future foreign wars as may occur will, also, be eligible to membership, and in their turn, their descendants, with the same restrictions as to sex and relationship.

The first State commanderies organized were in New York, December 27, 1894; in Pennsylvania, April 29, 1895, and Connecticut, February 13, 1896. By the combined action of these the present national order was established.

At the triennial convention of the Grand Commandery, held in Independence Hall, Philadelphia, Pa., April 16, 1902, a charter was granted for a Texas commandery, and Lieut. Col. G. A. Wheatly, of Austin, was appointed secretary, with authority to take the necessary steps to perfect its organization.

In obedience to a call issued by him the following charter members convened in Austin, May 20, 1902, appointed a committee on constitution and by-laws, and elected officers:

L. M. Openheimer, Austin; M. S. Swain, Austin; H. C. McClanahan, Manor; T. H. Franklin, Houston; H. N. Swain, Austin; Allen Buell, San Antonio; J. R. Waites, Houston; Thos. Scurry, Austin; F. B. Earnest, Laredo; R. P. Smyth, Plainview; L. H. Younger, Austin; W. G. Snead, Austin; Richard Cocke, Houston; O. C. Drew, Jr., Houston; E. A. Pearson, Thompson; L. Bedell, Milano; W. H. Stacy, Austin; J. H. Burdett, Austin; G. R. Fowler, Palestine; C. Towles, Houston; N. Lapowski, El Paso; B. F. Wright, Austin; E. E. Perrenot, Houston; C. G. Bierbower, Lampasas; W. L. Everman, Gainesville; G. F. West, Fort Worth; J. D. Read, Fort Worth; A. P. Scott, Austin; R. K. Gaston, Dallas; W. A. Taylor, Clarksville; G. A. Wheatley, Austin.

Maj. Gen. L. M. Openheimer was elected vice-commander general, to represent Texas in the national organization, and the following were elected officers of the Texas commandery: Maj. Gen. W. H. Stacy, commander; Brig. Gen. R. P. Smyth, vice-commander; Lieut. Col. G. A. Wheatley, secretary; Maj. L. H. Younger, deputy secretary; Capt. B.

F. Wright, treasurer; Capt. W. G. Sneed, registrar; Maj. H. N. Swain, judge advocate, and Capt. H. C. McClanahan, surgeon.

The following were elected members of the Companion Council, a body that discharges the duties of an executive committee and meets whenever there is business to be transacted: Col. M. S. Swain, Lieut. Col. T. H. Franklin, Maj. Allen Buell, Capt. J. H. Burdett, and Lieut. A. P. Scott.

The following were elected delegates to the next triennial convention of the national commandery: Brig. Gen. J. R. Waties, Lieut. Col. Geo. T. West, Lieut. Col. R. K. Gaston, Lieut. Col. E. A. Pearson, and Capt. G. R. Fowler, and the following alternates: Brig. Gen. Richard Cocke, Lieut. Col. O. C. Drew, Jr., Capt. C. G. Bierbower, Capt. F. B. Earnest, and Capt. N. Lapowski.

The jurisdiction of the Texas commandery embraces for the present, Arkansas and New Mexico.

The organization of the commandery was due to the efforts of Lieut. Col. G. A. Wheatley, who thought that officers of foreign wars now living in Texas and the descendants of those who are deceased should be bound together in the fraternal bonds of this noble patriotic association. The first step was for him to be admitted to membership in the national organization (upon the recommendation of two members) and secure authority to proceed. His application was submitted in January, 1902, was endorsed by General Bates, commander of the New York commandery, and Gen. J. H. Morgan, secretary general of the national commandery, and was favorably acted upon by the national executive committee. He was then forwarded blank applications for membership, which he mailed to such officers in Texas as he knew. When these were filled, he sent them to the national secretary. They were favorably acted upon, the charter granted, and the Texas commandery duly organized at Austin, May 20, 1902, as before stated.

The national secretary complimented Lieut. Col. Wheatley by a letter, in which he stated that the Texas commandery was admitted with a larger charter membership than that of any of the States previously securing charters.

The next meeting of the Texas commandery was called for May 20, 1903.

Gen. Nelson A. Miles, Gen. Adna R. Chaffee, Col. John Jacob Astor, President Roosevelt, Admiral Dewey, and other leading men, as well as thousands of lesser note, are members of the order.

VISIT OF ADMIRAL W. S. SCHLEY TO TEXAS.

In his trip through the South in October, 1902, Admiral Schley¹ was nowhere extended a more cordial and enthusiastic reception than in Texas.

The Austin Daily Statesman of October 23 said: "Admiral Winfield Scott Schley, the hero of the great naval battle fought July 3, 1898, at Santiago, * * * accompanied by his wife, arrived in Austin at 5:30 o'clock yesterday afternoon amid the booming of cannon and the cheering of throngs. * * * When the belated train pulled in the most intense enthusiasm was shown. Mrs. Schley, who was very ill, was taken to the Driskill hotel immediately after the train came to a standstill and did not attend either the reception at the capitol or the banquet. This was a keen disappointment, especially to the Austin ladies who had been appointed on the reception committee to entertain Mrs. Schley."

The following committee met Admiral Schley at Elgin and accompanied him and his party to Austin: Mayor R. E. White, Congressman A. S. Burleson, Adj't. Gen. Thomas Scurry, State Comptroller R. M. Love, and Alderman Shumate.

The reception committee appointed to meet Admiral Schley at the Austin depot were: Col. A. P. Wooldridge, Mr. E. M. Scarbrough, Hon. Walter Tips, Judge Julius Schutze, Mr. A. J. Eilers, Hon. John L. Peeler, Mr. R. H. Baker, and Land Commissioner Chas. Rogan.

Accompanying the admiral were R. L. Goodman, J. C. Weaver, Hunter A. Craycroft, Frank P. Holland, J. W. Maxwell, J. W. Allen, L. R. Cabell of Dallas, A. Goodwin of Waxahachie, W. H. King of Sulphur Springs, P. Dean, O. L. Stribling, F. H. Robertson, and Chas. W. Hobson of Waco.

Admiral and Mrs. Schley were also met at the train by Mr. Thomas Franklin (brother of Mrs. Schley), and two daughters, Mr. and Mrs. A. W. Houston and Miss Annie Smith of San Antonio.

"Admiral Schley," said the Statesman, "did not make a speech at the depot and, after being hurriedly introduced to the reception committee

¹ The San Antonio Express of September 12 said: "The schedule of the Admiral's trip has been arranged as follows: Arrive at Dallas morning October 17 and leave morning of October 21; arrive at Waco morning October 21 and leave morning October 22; arrive at Austin morning October 22 and leave afternoon October 22; arrive at San Antonio October 22 and leave morning October 25; arrive at Galveston October 25 and leave October 27.

" * * * The greatest reception to be given the distinguished visitor * * * will probably take place in this city, as an elaborate entertainment is being planned in his honor and is to take place at the fair grounds. The exposition management has set aside a special day in his honor, and on that date all railroads entering the city will operate special excursions * * *.

"While here it is expected that Admiral Schley will be the guest of his sister, Mrs. Thomas Franklin, who resides in this city."

and visitors from San Antonio, he was escorted to a carriage. In the carriage with him were Mayor White, Congressman Burleson, and Hon. Walter Tips. This carriage was preceded by the Governor's Cadets, Austin Rifles, Troop C, First Texas Cavalry, police, and Besserer's band.

"Following it came carriages occupied by Mr. and Mrs. A. W. Houston, the Misses Franklin, Miss Smith, the local escort and reception committees, and the escort committee from Dallas, Waco, and Waxahachie.

"As the procession moved up the Avenue the throngs of people cheered until they were hoarse."

Upon arriving at the capitol gates the procession halted and the admiral and those with him walked to the building between two files of school children, who were drawn up along the walk and threw beautiful flowers in front of the distinguished visitor. "The admiral smiled and was highly pleased at the demonstration and frequently bowed his acknowledgments.

"When the party reached the steps there was a veritable crush and it was with difficulty that the soldiers kept the people back so as not to block the way. The band in the meantime struck up an appropriate air, while several hundred students cheered Admiral Schley and sang a patriotic song.

"Upon entering the capitol the admiral and party went directly to the Governor's reception room, where they met the Governor and members of the reception committee, both ladies and gentlemen."

The party then repaired to the beautifully decorated senate chamber, where the formal reception was held. Governor Sayers, Admiral Schley, and members of the reception committee occupied seats on the rostrum.

After the band had discoursed music, Governor Sayers arose and said: "Admiral Schley, on behalf not only of the citizens present, but the people of the entire State, I extend to you a most hearty welcome." The Governor then briefly reviewed the achievements of the American navy since the war of 1812 and its signal victories in the Spanish-American war, saying in the latter connection: "I voice the sentiment not only of the people of this State, but of the entire Union, when I say it is to you that we are indebted for the great victory of Santiago."

In response, Admiral Schley said that he could not find words to express his gratitude for the magnificent ovation accorded him. He said: "I shall never cease to love you, as I have always done. My path since I have been with you has literally been strewn with flowers." He said that he did not claim all the credit for the victory at Santiago; that it was to the men behind the guns that the credit was primarily and mainly due.

After leaving the capitol the admiral and committee drove to the Driskill, where he spent a few minutes. He was then taken to the Elks' hall, where an elegant banquet was served.

The following morning he and Mrs. Schley went to San Antonio, accompanied by the following citizens of Austin: Dr. B. M. Worsham,

Col. Mike Butler, J. B. Rector, Esq., and Judge Julius Schutze. The reception at San Antonio was in keeping with that in Austin and other Texas cities.

The ladies committee to whom was due the handsome floral decorations that adorned the senate chamber and who assisted in the reception there tendered the admiral were: Mrs. Joseph D. Sayers, chairman, and Mesdames Carl Drake, A. J. Eilers, Ira H. Evans, D. T. Iglehart, B. M. Worsham, Joe Lee Jameson, Sam Harlan, T. J. Bennett, Joseph Nalle, B. F. McNulty, and Walter Tips, and Misses Nina Hooper, Julia Scarbrough, Ethel Robinson, and Frankie Sampson. They were assisted by a committee of gentlemen, including all the heads of State departments and many of the leading men of the city. Never were the rites of hospitality more elegantly celebrated, or apparently (and, no doubt, sincerely) appreciated and enjoyed by their distinguished object.

CAPT. RICHMOND PEARSON HOBSON.

The cordial and appreciative reception everywhere extended Capt. Richmond Pearson Hobson in his lecture tour through Texas, fitly illustrates the truth that admiration for patriotism and heroism is not on the wane in Texas, but glows as brightly in the hearts and minds of the people as at any former time in the history of the State.

When Cervera's fleet took refuge in Santiago harbor the entrance was reconnoitred by the commanders of the United States squadron with a view to proceeding in and there defeating and forcing an immediate surrender of the enemy. Upon investigation, however, it was found that the attempt would be unjustifiably hazardous and attended with unnecessary loss, and the policy of blockading was adopted instead.

At this juncture Assistant Naval Constructor Richmond Pearson Hobson suggested the idea of sinking the collier Merrimac in the narrow channel, which he and others thought would so block the passage as to prevent the Spanish vessels making their exit. Had this supposition proved correct, the Spanish men-of-war would have been surrendered intact on the capitulation of the city of Santiago.

Hobson secured permission to execute his design. Volunteers were called for and nearly every seaman on the various American vessels responded. From the number he selected six companions, with whom shortly before daylight, June 3, 1898, he steered the vessel to the objective point in the harbor mouth that he had selected, and sunk it, amid a raging tempest of shot and shell that was directed upon and enveloped the devoted collier, from Morro castle upon one side, and heavy shore batteries on the other and in front.

The means planned for the escape of the crew of the Merrimac miscarried and they were picked up from the water by Cervera's boats and

conveyed to Santiago, from whence they were transferred to Morro castle. The Spanish admiral expressed the most unqualified admiration for the sublime, self-abnegating courage of Hobson and his men, sent word to Sampson and Schley of their condition, and expressed a willingness to exchange them for Spanish prisoners of war, which was about a month later duly effected.

July 3, 1898, the Spanish fleet steamed out of the harbor at 9:30 a. m. and steered west along the coast in a vain effort to escape. The story of its destruction under the unerring and deadly fire of the American battleships is known to all.

Commander John Paul Jones set a model of valor and fighting ability for the American navy in the Revolutionary war of 1775-83, from which it has never since departed. The exploits of Decatur, Perry, and others that have since followed, and the long and unbroken succession of acts of individual bravery that have characterized later wars, have built up a spirit in our navy that makes it in fact second to none in the world, no matter what relative rank may have been assigned it by marine lists now current and accepted as correct in the countries of Europe.

The heroism of Hobson and his comrades, while not without parallel in the United States navy, is unsurpassed in its annals. They went cheerfully and coolly to what appeared certain death, in obedience to conceptions of duty that only the most chivalrous and high-souled can form and regulate conduct by. That the mouth of the harbor was not blocked, in no way detracts from the merit of the act; it was beyond question the most daring feat of the war. If the conflict with Spain had produced no other good than to demonstrate our civilization's capacity to produce such men, it would not have been altogether in vain. He well deserves the rank of hero that has been accorded him and all Americans feel a just pride in him. The South particularly felicitates herself upon the fact that he is one of her sons.

The Students' Association of the University of Texas arranges each year for the delivery of addresses in the auditorium by famous lecturers, and, in pursuance of this customary course, secured Captain Hobson for a lecture on "The United States Navy," the night of March 20, 1903. He was expected to arrive from Galveston at 4:45 p. m. The train was late and a reception planned for him in the State hall of Representatives had to be dispensed with for that reason. He, however, met the Governor and some of the heads of departments and members of the Legislature. He was welcomed at the depot by Messrs. Robertson, of Bell; Mulkey, and Standifer, a committee appointed by the House, and by a committee from the University, headed by President Prather, Judge Lewis, and Dr. Mezes, and escorted to the University, where a short reception was held in the regents' room, a number of prominent gentlemen and ladies enjoying the pleasure of greeting him personally.

Notwithstanding the inclement weather a large audience was present at the lecture, which began at 8 p. m. and lasted more than an hour. He reviewed the history and traditions of the navy in an admirable

manner, showing careful mastery of the historical details of his subject, and, in speaking in favor of a larger navy and of the United States moving to a dominant place amid the nations of the earth, occasionally indulged in flights of eloquence and bursts of enthusiasm that showed him to be an orator of considerable ability.

At the conclusion of the lecture he was given an elegant banquet at the Driskill hotel by the Kappa Alpha fraternity, of which he is a member. Captain Hobson occupied the seat of honor at the head of the table and Messrs. Cecil Smith, Streetman, Simmons, Brown, McKamy, Batts, Hamilton, Penick, Ellis, Hogg, Hill, Lanham, Norvell, Wilkinson, Newton, Hall, McIntosh, Watson, Ring, Duren, McInnis, Scovell, Dinsmore, Doffelmeyer, Johnson, and Ford, were seated about the well-laden board. Hon. R. L. Batts was toastmaster, and at his instance the following toasts were responded to: "Our Guest," by Judge Sam Streetman; "Thoughts and Words," by Capt. Richmond Pearson Hobson; "Kappa Alpha in College," by Jas. T. McIntosh; "Texas," by Judge J. R. Hamilton; "Kappa Alpha in Peace," by Hon. Dorsey Brown; "Laissez Faire," by Frederick Lanham; "Our Future," by Dr. Daniel A. Penick; and "Resume," by Hon. Cecil Smith.

At the request of Hon. R. L. Batts, Captain Hobson gave in colloquial style, a most interesting account of the sinking of the Merrimac and his subsequent experiences as a prisoner in Santiago and in Morro castle.

The social gathering was greatly enjoyed by all present. Captain Hobson doubtless left Austin with pleasant recollections of the city and its people, and will be no less kindly and favorably remembered by them.

VISIT OF BOER REPRESENTATIVES TO AUSTIN.

Dr. F. W. Reitz, formerly president of the Orange Free State; Mrs. Reitz, Dr. C. W. Van Der Hoogt, of Washington, D. C., Boer representative to the United States during the war in South Africa; Gen. Sam Pearson, formerly Quartermaster General of the Boer army; Rev. J. A. Van Block, chaplain of the Boer prisoners of war in Bermuda, and P. A. Dalm, editor and owner of the Holland-American newspaper published at Kalamazoo, Mich., accompanied by S. F. B. Morse, of Houston, Texas, passenger traffic manager for the Southern Pacific Company's Atlantic system; John D. Newman, of New York, general eastern land and immigration agent for the Southern Pacific, and H. S. Brintall, a guest, and Anderson Chenault, private secretary of Colonel Morse, after visiting various places in Texas, arrived in Austin, February 2, 1903, called upon Governor Lanham, and later were accorded a reception by the members of the Legislature in accordance with the following resolution, offered by Mr. Schluter at the morning session of the

House (February 2) and adopted by a unanimous vote, after an eloquent speech by him in its support:

"Whereas, Dr. F. W. Reitz, a distinguished citizen of South Africa, ex-president of the Orange Free State; for nine years chief justice of the South African Republic, and secretary of state during the late memorable war with England; and,

"Whereas, He is a native of the Orange Free State, a graduate of Oxford University, becoming an English barrister of admitted ability; and,

"Whereas, It was Dr. Reitz who assisted in conducting peace negotiations with England, and signed, as the representative of his people, the treaty that brought that unhappy struggle to an end; and,

"Whereas, With other distinguished citizens of that fallen country, he is touring Texas with a view of selecting a suitable location for a Boer colony; now therefore, be it

"Resolved by the House of Representatives of the Twenty-eighth Legislature of Texas, That the courtesies of this house be, and are hereby extended to Dr. Reitz and his distinguished traveling companions and fellow patriots, consisting of Gen. Samuel Pearson, Dr. Van Der Hoogt, Rev. J. A. Block, and F. A. Dalm, all of whom occupied positions of prominence and responsibility during the sanguinary contest between England and the South African republics, and formerly civil positions in the sister republics for many years."

Governor Lanham in receiving the party said that the Boers, like the people of the South, fought for a hopeless but glorious cause. Dr. Reitz was affected to tears by the Governor's remarks.

The visitors repaired from the Governor's reception room to the House, where, at 3:30 p. m., an informal meeting of members of both branches of the Legislature was held, Representative R. C. Duff presiding. They were escorted to the stand by Speaker Neff and Representatives Standifer and Kyle. Heads of State departments and many leading citizens were present.

In welcoming them, Mr. Duff said: "The sons of sires who fought for liberty and independence at San Jacinto are proud to welcome the patriots who, nobly and desperately daring, fought so long to preserve the same sacred rights in the Transvaal of South Africa, and if it were denied you to maintain in their integrity the liberties of your country and people, history, nevertheless, must accord you a place among the patriotic peoples of all ages to whom independence was justly esteemed dearer than life.

"For four long and bitter years, while all the world looked on with unavailing and inactive sympathy, you, in the name of those great qualities that sanctified your cause, that made heroes of the living and martyrs of the dead, strove against all the militant powers of a mighty empire.

"We, too, in this our dear Southland, must forever cherish the memory of a cause as just as yours, and only lost when our bravest and best

had laid them down in their last sleep beneath the stars; furled in banners, which, like yours, should have served forever to denote the ascendancy of a nation and its people.

"It is with profound pleasure, then, that we now welcome you to the capital of this State and, even as we have rehabilitated our fortunes, we invite you and your people to cast your lot with us for the restoration of yours; to your own virtues add our citizenship and prosperity; we promise you liberty, fraternity, and equality, and you may, with all confidence, look to the day when all that you have loved and lost in the Transvaal will be restored to you in Texas—home, happiness, and country."

In reply Dr. Reitz said, among other things: "We little thought when we started on our journey to the United States that we would receive such a cordial reception as we have met in Texas, and especially by the Legislature this afternoon. When a boy I read of the noble deeds of Texans during their struggle for liberty, and now have an opportunity to express my appreciation of their great efforts for independence."

"During the recent struggle of my country, Texas was among the most prominent States to express sympathy with the Boer cause. Our cause was not only for the two little countries in South Africa, but for liberty throughout the world, and I am not surprised that Texas should have a strong sympathy for us. Though we have lost our country, the righteous cause of liberty shall not be lost forever."

"I shall be proud to tell my countrymen of the cordial reception to us to-day—thank you! that, though the war is over, your hearts burn with friendship for my people.

"It is not desired that the Boers leave their homes in large numbers, for many will remain there to fight out their destiny; but, there are men like myself who will not live under the tyrant who has taken away my country. I shall tell those of my people who desire to leave their homes that in Texas they will find a people who love liberty and will welcome them as citizens."

He was frequently applauded; his declaration that he would not continue to live under a tyrant, calling forth especially marked demonstrations of approval.

Judge A. W. Terrell, in response to calls, delivered an address in which he eulogized the Boers, and extended to such of them as desired to leave their home, an invitation to settle in and become citizens of Texas.

The chair appointed Speaker Neff and Messrs. Standifer, Mays, and Love a committee to escort the visitors over the capitol. The party left for Houston on the night train.

The Boer representatives were received by President Diaz in January, 1903, and told that such of their countrymen as desired to emigrate from South Africa would be gladly received in Mexico if they saw fit to come there.

It is a striking fact that every free country seems willing to open its doors and receive into the body of its citizenship as large a number

of these people as care to transplant themselves. It is a natural and eloquent expression of world-wide respect and sympathy. They will add to the strength of any community. In Texas more than anywhere, they would find a congenial home.

This fact seems to have impressed itself on the mind of Dr. Reitz after he left Texas and to have caused him to modify his views as to the Boers leaving South Africa in large numbers, judging from the following special telegram published in the Galveston News of February 25:

"Wilkesbarre, Pa., Feb. 24.—Gen. S. Pearson, the famous Boer fighter, who was Quartermaster General of General Botha's army, and military director of railways in the Boer army, is in the city. He was not granted amnesty with other Boers, and is now at the head of a movement to 'trek' thousands of Boers and their families to Texas. He is visiting friends in this city. He says: 'Dr. Reitz, late secretary of state for President Kruger, and myself are now engaged on a project for another 'trek' of the Boers, from South Africa to this land of the free. We have secured a tract of 255,000 acres of land in Southwest Texas, which we will colonize with Boers. We have arranged to bring 10,000 families. The plans are all completed except some financial matters, and we hope to see a stream of Boers 'trek' from South Africa to Texas within the next few years. I believe the climate and conditions in Texas will be suited to them.'"

An Associated Press dispatch from Monterey, Mexico, contained the following: "A letter from the Boer general, Samuel Pearson, has removed all doubt regarding the establishment of homes in Mexico. General Pearson stated that his party has invested \$2,800,000 in Texas lands."

VISIT OF UNITED STATES WARSHIPS AND OTHER EVENTS INCIDENT TO THE DEDICATION OF THE GALVESTON SEAWALL.¹

-Galveston arranged an elaborate program of festivities to begin February 19th, and conclude February 23, 1893, with ceremonies dedicating the seawall, now in course of construction. The latter event was made a State affair—State officers and members of the Legislature being invited to participate; and, in a measure a national event, the greater part of the North Atlantic squadron, commanded by Rear Admiral Francis J. Higginson, in person, being dispatched to the port to participate.

¹The total estimated cost of building the sea wall and raising the city grade at Galveston is \$3,505,040. To secure the money needed bonds were issued, and have been subscribed for by those directly interested in the rehabilitation of the city. The work is well under way and the Island City promises to regain and surpass, in the near future, its former prosperity.

The following vessels of the squadron were present: First-class twin-screw battleships Kearsarge, Iowa, Illinois, and Massachusetts, training and pay ship Prairie, and tender Kingston. Total complement of officers, 154; of men, 2086. The Kearsarge is the flagship and had Rear Admiral Higginson aboard.

The Kearsarge, commanded by Capt. Joseph M. Hemphill, is a sister ship of the Kentucky; is 368 feet in length, 72 feet 5 inches beam, and 23 feet 6 inches draught; displacement 11,525 tons. "It carries," says the Galveston News, "normally 410 tons of coal, but may take aboard 1210 tons. It has a speed of 16 knots an hour, and its armament consists of four 12-inch guns, four 8-inch guns, fourteen 5-inch rapid-fire guns, and twenty 6-pounder rapid-fire guns. The most striking feature of the Kearsarge and the first attempt at such construction, is the double-deck turrets. The smaller, containing 8-inch guns, are attached to the top of the turrets containing the 13-inch guns. Probably the craft does not float that would survive the awful impact of the four guns of one of these combined turrets upon one small section of its hull, and, because they are trained in unison, their projectiles must strike close together.

"The big turrets are built of Harveyized steel, 17 inches thick in front and diminishing to 15 inches in the rear, where they are less liable to be struck by a shot from an enemy's ship, because in action the guns are supposed always to be turned toward the enemy. The smaller turrets above, for a like reason, range in thickness from 11 to 9 inches.

"Next to the turrets the most novel feature of this ship is the powerful broadside battery of fourteen 5-inch rapid-fire guns. There are seven guns on each broadside, each gun firing through an arc of 90 degrees. Though the shell for the 5-inch gun weighs only 50 pounds as against 250 pounds for the shell of the 8-inch guns, so great is the rapidity of fire from the former guns that three times the weight of metal can be thrown in a given time from the rapid-fire battery. The gunners are protected by six inches of Harveyized steel. On the deck above is another battery of twelve 6-pounder guns, and eight others are located forward and aft on the berth deck. It is the work of these guns to repel the attack of torpedo boats. A number of 1-pounders and Gatlings are carried in the tops of the military masts for the purpose of sweeping the decks and other exposed portions of the enemy.

"Under the deck lies 11,954 horse power of boilers, engines and other machinery, capable of pushing the vast hull through the water at the rate of at least 16 knots an hour, besides there are no less than eighty small engines to hoist anchors, drive dynamos, and otherwise help the crew. The big turrets swing noiselessly and quickly by electricity, the largest application yet made of electric power in the navy, and everywhere in the ship, from winches and ventilators and telephoning, the electric fluid plays a useful part.

"Nearly 500 officers, sailors and marines * * * are required to care for this ship. * * *

The Iowa, command by Capt. Thomas Perry, is 360 feet long, 72 feet beam, and has a displacement, loaded, of 11,410 tons. Three thousand tons of the weight is devoted to armor, which ranges in thickness from $2\frac{3}{4}$ inches to 15 inches. A belt of 4-inch armor is worked to cause shells loaded with high explosives to break up before entering the vessel. The engines and boilers are capable of developing 12,105 horse power. She carries 18 guns.

"The Iowa has the distinction of being the first modern first-class seagoing battleship built for the United States navy, and she is also the largest and fastest of our ships of the line. The Iowa bears a general resemblance to the Massachusetts and visitors ask why the Iowa should be designated as the first modern seagoing battleship of the navy. As a matter of fact, however, the Indiana, Massachusetts, and Oregon are listed on the naval register as coast defense battleships, and although they would be capable of crossing the Atlantic and giving a good account of themselves in a fight upon the high seas, they were not specifically designed for such service. Those elements of a battleship which make her a good boat in heavy weather have been somewhat sacrificed in these boats in favor of extremely heavy guns and massive armor plates, and it is this concentration of guns and armor which renders the Oregon, Indiana, and Massachusetts the most powerful fighting ships in the world."

The Illinois, commanded by Capt. George A. Converse, is of 11,525 tons displacement, has 11,366 horse power and carries 18 guns.

The Massachusetts, commanded by Capt. Henry N. Manney, is of 10,286 tons burden, has 10,403 horse power, and carries 16 guns. Her conning tower is thus described: "To the rear of the 13-inch turret and forming the base of the military mast, is the conning tower, which is plated with twelve inches of steel. Here the commander will take up his position when going into battle, and through the narrow horizontal slots (to be seen just above the sighting hood of the forward turret) he will watch the enemy. Inside the conning tower is an elaborate arrangement of telephones, electric calls, and speaking tubes, by which he can communicate with the engine rooms, the various gun stations, and the steering room at the after end of the ship. This latter is situated for protection below the water line and beneath the shelter of the protective deck. When the ship goes into action, one man, snugly ensconced within this little steel cage, can lay his hand upon any part of the ship, controlling her speed, turning her right or left at will and concentrating her guns upon any weak spot of the enemy. Above the conning tower is the pilot house, from which the navigation of the ship is carried on except in the actual time of battle. Upon the roof of the pilot house, one on each side of the mast, are two 100,000 candle power searchlights, and on the small platform just above them are two controllers, by means of which the beam of light may be raised or lowered and made to sweep the full circle of the ship. On the same platform is one of the range finders, by which the distance of the enemy can be very accurately de-

termined. A similar pair of searchlights and a range finder are located on the overdeck, above the after end of the bridge deck."

The Prairie brought \$350,000 from New York, out of which she paid officers and men, and then steamed for Cuba and Porto Rico. She had aboard 780 apprentices.

Of the ships of the squadron not visiting Galveston, the Alabama went to Mobile, where a silver service was presented to the vessel and a celebration had in her honor; the Texas to New Orleans, and the Indiana, to Pensacola.

The great battleships arrived off Galveston during the afternoon of February 18th, but were prevented by heavy seas from entering the harbor.

The following members of the welcoming committee took passage on the tug A. N. Hughes at 9:30 a. m. Friday, February 19th, and attempted to reach the Kearsarge, but failed, and only after an exciting contest with wind and waves, succeeded in returning safe to terra firma: W. T. Austin, chairman; J. H. Hawley, J. M. O. Menard, H. A. Griffin, W. T. Armstrong, C. S. Riche, A. B. Pierce, Lieutenant Stewart, and J. W. Jockusch.

The grand promenade and ball at the Auditorium the night of the 19th, projected by the Business League, was largely spoiled by the storm. The ball room was gorgeously decorated. A few devotees of the dance braved the inclement weather and greatly enjoyed themselves.

The Scorpion came into the inner harbor, and the Prairie anchored in Bolivar roads on the 20th. During that morning the citizens naval reception committee was slightly more successful, making their way, aboard the tug Cynthia, to the Prairie, where Hon. J. H. Hawley, acting as spokesman, conveyed through Captain Kennedy, commander of the vessel, a cordial welcome to Rear Admiral Higginson and the fleet.

The following communication was received by Judge Austin the morning of the 21st:

"United States Flagship Kearsarge, First, off Galveston, Texas, Feb. 20, 1903. Dear Sir:

"1. On behalf of the officers of the North Atlantic fleet, I take great pleasure in expressing to the reception committee and people of Galveston, our great appreciation of your warm welcome of the battleship squadron now anchored off Galveston.

"2. I regret very much that the unsettled conditions of the weather have prevented my meeting the committee personally, although it has been impossible for the battleships to cross the bar and anchor in the inner harbor. So far the swell on the bar and the uncertainty of the tides have made this impossible, but I hope to-morrow, or as soon as practicable, to take in two of the battleships, or all if possible, to be at anchor in time to welcome the Governor, State officials, the members of the Senate and the House of Representatives.

"3. The program for 'battleship week,' as arranged by the com-

mittee, meets with my approval, and I shall be very happy to do all I can to assist in carrying it out and making it a success, and only regret that so far we have not been able to take part.

"4. The lists of officers who will attend the entertainments will be furnished the committee at the earliest time practicable.

"Very truly yours,

"FRANCIS J. HIGGINSON,

"Rear Admiral U. S. Navy, Commander-in-Chief North Atlantic Fleet."

To this message Judge Austin replied as follows:

"Dear Sir: I have the honor to acknowledge the receipt of your esteemed favor of the 20th inst.

"The conditions which have deterred your ships from entering the harbor, it is unnecessary for me to say, are the source of the deepest regret to the people of our city and State, who have anticipated so much pleasure in having an opportunity to visit the ships and meet in friendly intercourse with their officers and men.

"We are gratified to know that you approve of the plans arranged for the entertainment of yourself, your officers, and men, and we hope as full opportunity as circumstances will permit shall be afforded our people of showing the hospitality and cordiality that awaits you, your officers and men on every hand, and we trust that you and they may find something during your stay here to interest and entertain you and to bear away with you as a pleasant remembrance of your visit to Galveston. We certainly shall be benefited by your visit to us, as the presence of your ships of war, with their gallant crews of officers and men, will be an inspiration and education to those of our people who can avail themselves of the opportunity and privileges so cordially extended by you to visit the ships.

"I can assure you, sir, that the people of Galveston feel and always will feel, the deepest gratitude to the national government for affording us the honor and privilege of having you and your ships with their gallant crews with us on this occasion. It makes us feel that while we are far removed from the seat of government, yet we are still recognized as a factor in its concerns. Yours most obediently and truly, W. T. Austin, President Board Galveston City Commissioners and Chairman Reception Committee."

On the 21st Admiral Higginson came in on the Scorpion, to a point near the landing and sent a launch for the committee, the following of whom went aboard, had a conference with him and were introduced to the officers of the fleet: J. H. Hawley, H. A. Griffin, Charles Fowler, L. J. Selby, Julius Jockusch, W. A. Hudson, and J. M. O. Menard.

The members of the Legislature and a number of State officers, many of them accompanied by members of their families, left Austin on a special train at noon on the 20th and reached Galveston at 10:20 p. m. They were met and welcomed at the union depot by the following citizens com-

mittee: F. M. Spencer, chairman; R. V. Davidson, E. F. Harris, J. E. Linn, T. H. Nolan, E. D. Cavin, R. H. Byrne, J. C. Borden, J. T. McCarty, R. A. Burney, J. W. Campbell, T. H. Sweeny, H. A. Landes, Dr. G. S. Sykes, A. D. Smith, Dr. E. S. Cox, J. Adriance, J. Sealy, Walter Gresham, Dr. Ed. Randall, William Scrimgeour, Lawson Luth, J. M. O. Menard, Judges C. C. Garrett, W. H. Gill, R. A. Pleasants, and W. H. Stewart, R. G. Street, S. T. Fontaine, R. T. Barry, Lewis Fisher, J. E. Baily, J. J. Davis, Guy M. Bryan, and John Young. They were escorted in carriages and other vehicles to the rooms of the Business League and there assigned to comfortable quarters in the city.

The legislative party was taken on a trip down the bay Saturday and shown the great Southern Pacific Railway docks and elevators and other objects of interest. At night they, together with Admiral Higginson and officers from the battleships, were present at and greatly enjoyed a delightful musical entertainment given by the Ladies' Musical Club and Galveston Quartette Society.

Sunday morning the admiral gave a luncheon on the Kearsarge in honor of Mrs. Edward F. Harris, at which a number of personal friends were present.

The lawmakers were much disappointed at the battleships not being able to come into the inner harbor. "When the mountain would not come to Mahomet, Mahomet determined to go the mountain." They and the local committee proved equally astute and embarked shortly after 10 a. m. Sunday on the tugs Texas and Lawrence (about 150 persons on each vessel), and set out from piers 22 and 23 for the big ships in the offing.

The cerulian dome of the sky was without a cloud, the breeze fresh and invigorating, and the smooth heavy swell of the sea beautiful to look upon—that is, for a short time, from the rolling decks of the boats; after which *mal de mer* claimed for its own a large proportion of those who had started forth with high hopes and on pleasure bent. The seasick were stowed about as comfortably as accommodations would permit. One of the senators is said to have thrown up everything except the long term drawn for him January 28.

"Hon. George D. Neal, Lieutenant Governor," said the Galveston News' report of the trip, "was one of the party on the Texas. He was accompanied by his family. Representing Gov. Lanham, he acquitted himself finely in extending a hearty welcome to Admiral Higginson and his officers and ships. As the Texas approached the Kearsarge the band struck up a national air and those who were able to cheer on the Texas gave hearty yells in response. The corps of Agricultural and Mechanical College boys on the Texas gave the college yell and greetings were sent across the water.

"The officers and marines were lined up on the deck of the Kearsarge and four boats from the flagship manned by twelve sailors * * * were soon alongside the pilot boats taking on passengers. Among the first to reach the battleship was Lieutenant Governor Neal, and he was

welcomed by Admiral Higginson. After an exchange of compliments first honors were given the representative of the chief officer of the State. Captain Hemphill escorted Lieutenant Governor Neal over the ship, explaining in detail all of the interesting parts, and other officers had in charge other members of the party.

"While the reception was purely of an informal character, everything was done to make the visit of the party pleasant, interesting, and instructive. Souvenirs in the form of ribbons (black ribbons with the name of the flagship stamped in large letters) were given to the men and pinned around an arm of the ladies. About an hour was spent on the battleship. * * * As Lieutenant Governor Neal and party took their departure a salute of seventeen guns was fired. * * *

"The battleships were a great sight and to many were well worth the trip, which was delightful for those who escaped seasickness. But for those who paid homage with a large H to Neptune, the event will not be forgotten as one of the most wretched and miserable experiences on the blotter of life."

Thanksgiving services were held in the afternoon. Speaking of these, the News of Monday said: "An inspiring scene was enacted at the Auditorium yesterday afternoon, when more than 1500 people gathered together in a spirit of thanksgiving for the many blessings the city and port of Galveston has received and is receiving since the great calamity of 1900. The meeting was a grand union service and was prompted by the passage of the grade-raising bill and by the dedication of the seawall which takes place to-day.

"* * * Every available seat in the spacious auditorium was filled." The music was excellent. Pastors of the various churches made short addresses, including Rabbi Henry Cohen. The speakers "referred to the storm, its results, and the final bringing of the people of Galveston together in one mighty and victorious effort to rebuild the city, restore confidence, and again come before the world as the port and commercial center of the great Southwest. They told of the progress thus far in the work and of what might be expected in the future, and gave to Divine Providence the praise and glory of all past blessings and for future expectations. The meeting was closed by singing 'Awake, My Soul, to Joyful Lays,' prayer and benediction."

The first event Monday (February 22), was the dedication of the seawall. Then followed a naval parade in which the admiral and his staff and the officers and 700 marines and sailors from the men-of-war participated. After the parade the marines and sailors and officers commanding them were given an oyster roast in Auditorium park. In the afternoon the naval officers and legislators were treated to a trolley-car ride over the city, and an oyster dinner at Woollam's lake. Senator Davidson acted as master of ceremonies at the dinner. Admiral Higginson, Attorney-General Bell, Lieutenant Governor Neal and others made brief talks. In the course of his remarks, Admiral Higginson said:

"When we started from Ponce for your delightful city, we had very pleasant weather until we reached Cape Antonio, on the Campeachy Banks, and there you sent us one of your delightful northerns, with which you are so well acquainted. Every time we took a plunge into the heavy sea, I said: 'Hemphill, let her go. Don't stop her. We want those oysters.'"

Oysters were served in every conceivable style on tables covered with snowy linen. The liquid refreshments were sufficiently abundant to have won encomiums from Sir John Falstaff. His ideas of propriety as to solids (a small quartern loaf of wheat bread to a gallon) would, however, have been shocked, the guests eating more than they drank. The admiral proved as good a trencherman as he, doubtless, would a commander on the quarterdeck in battle, and was awarded (the usual compliment) a leather medal as the champion oyster-eater.

The beautiful grounds were much admired. The ladies and gentlemen who so desired indulged in dancing in the pavillion. That night a grand promenade concert and dance were given in honor of the legislators and naval officers by the Galveston Garten Verein.

In giving an account of the dedication ceremonies, the Galveston News said: "The procession arrived at the foot of Sixteenth street at 11:30 a. m. * * * Just to the right, and slightly in the rear, of the point where the seawall has been begun, a temporary platform had been erected to accommodate the speakers and the distinguished guests. About 5000 people were present." County Judge Fisher delivered the opening address. In the course of his remarks he said: "We are gathered together to-day in one great and common cause, a cause dear to the hearts of all of us; to us as citizens, because our homes and happiness are in it; to our friends, because already have they given ample proof of their interest in our welfare.

"'Tis useless, my friends, as well as impossible, to try to call to mind by any word-painting the terrible storm of 1900. Those who passed through, know it too well, for the sorrow, the desolation and the despair of that occasion were burned into their lives forever. And those who were not here that fatal night have heard of it in all its horrible details as far as human tongue could portray it. It was a great universal grief, startling the world in its grim and awful horror. But out of that, the blackest cloud that ever rested on any people; out of the darkest hour a city has ever known, the dawn has come at last, and to-day when we lay the cornerstone of our great seawall, the sun of prosperity seems to break through the darkness and the silver lining, brighter than ever before, stands out on the horizon of our future, an omen of peace, joy, and success for the brave people of this city.

"But out of every affliction comes a blessing sooner or later, and the far-reaching and loving sympathy of our nation, and the nations of the earth, the hand of succor so freely extended, the noble help so generously bestowed, built around our hearts a wall of fraternal love so strong in

its foundation of true thankfulness and gratitude that no sea of misfortune can ever roll over it.

"By perseverance, by patience, and courage born of necessity, our people have worked with one end in view—the building of a great seawall. * * *

"Your presence here to-day, my friends, gives encouragement and inspiration to our efforts, for each and all of you have had a hand in the building of this wall, and may you find it to be as bread cast upon the waters; may it come back to you 'ere long with blessings four-fold, in commercial success for you as well as our citizens. * * *

Father Kerwin delivered a prayer, invoking the divine blessing upon the undertaking. He was followed by Senator Davidson in a brief address. Judge Fisher being too ill to longer perform the duties of chairman, was succeeded by Representative Harris.

Lieutenant Governor Neal was then introduced. In the course of his remarks, he said, after alluding to the desolation wrought by the storm of September 8, 1900: " * * * The question was then presented whether this city, the principal seaport and mart of the State, should be practically abandoned, or whether Galveston should be restored, and the skill of man and his unconquerable will be set against the dangerous and destructive power of the sea. The surviving people of Galveston, stunned as they were, * * * 'persecuted but not forsaken, cast down but not destroyed,' met the great emergency with a spirit and courage such as challenged the admiration of the world.

" * * * When * * * the question was presented to the Legislature of Texas last session as to what the State could do in aid of Galveston, and in preserving the great interests at stake, * * * such were the doubts as to the constitutionality of any legislative measures of relief, that comparatively little was done at that time; the measure of relief enacted last session provided for the release of State taxes on Galveston property for a period of only two years.

" * * * Now the people of Texas, as I take it have a right to a voice in the construction of the provisions of their organic law which they themselves have ordained. * * * Believing that the people of Texas, through the Democratic State convention here last summer, as well as through other forms of public expression, * * * properly construed it as authorizing * * * 'the relief which Galveston asked * * * the present Legislature, as the first measure of importance enacted by it, passed the Galveston grade-raising bill, which now has already received the sanction of executive approval, as it doubtless will that of the judiciary, should its constitutionality ever be questioned.'

"Permit me, on behalf of the Legislature, to say to our fellow citizens of Galveston that we are proud to have had the opportunity of thus contributing in some measure for the State and for ourselves as part thereof, to the restoration of Galveston and in the preservation of the seaport city that has already done so much for the commerce and pros-

perity of Texas, and which we believe is destined to do far more in the years to come.

"* * * May all that has been said and done here to-day be flashed across the wires * * * throughout the length and breadth of the civilized world, telling the people that the brave, beautiful, and accomplished women of Galveston, together with her gallant, knightly, and chivalrous men are at the helm, and behind them all stands Texas, imperial Texas.

"In conclusion, let me express the hope that the true and living God will be with you, and protect and direct you even unto the end.

"We will now lay the cornerstone of the seawall of the city of Galveston."

As he ceased speaking the cornerstone was lowered and fixed into its place. Upon the face of the block is this inscription: "Construction commenced October 27, 1902. Grade raising bill passed January 30, 1903. Seawall completed _____," the blank date to be supplied when the great work is finished. The inscription faces the sea.

County Attorney John T. Wheeler and Hon. B. R. Webb, reporter for the courts of civil appeals (with the exception of the court at Austin), delivered interesting addressees. The exercises were then concluded by a short prayer and benediction by Rabbi Cohen.

It is estimated that 15,000 visitors were in the city. The railroads acted handsomely by excursionists, extending the time of tickets beyond their limit. The excursion train bearing the legislators reached Austin at 5:45 p. m. Tuesday, February 24. They expressed themselves as delighted with their visit and were unstinted in their praise of the hospitable people of the Island City.

The vessels of the North Atlantic squadron left Galveston February 26 for Pensacola. Every day of their sojourn at Galveston witnessed some courtesy extended and pleasure afforded the officers, the most notable event in that connection being a brilliant ball and banquet given in their honor the night of February 24 at the Scottish Rite Cathedral.

All honor to Galveston! May years filled to overflowing with happiness and prosperity from this time forward be granted to the gallant city! Growing with the growth of Texas, and winning for the State and for herself an ever increasing share of foreign commerce, may her greatness expand until she becomes to the Gulf what New York is to the Atlantic seaboard.





GEORGE W. FINGER.

GEORGE W. FINGER.
TARRANT COUNTY.

The death of Hon. Geo. W. Finger a few months after he entered upon the discharge of his duties as Commissioner of the General Land Office of Texas, removed from public life one of its purest and brightest ornaments in this State, from the citizenship of Texas, a factor powerful for good, from the social circle a genial companion and steadfast friend, whose presence ever dispelled shadows of sadness and gloom, and from his home a devoted husband and father. The loss sustained by the public in his death is irreparable. While the work of the world will go forward, conducted by other hands, the place he occupied in the circle of his immediate fellow laborers of this generation and in the affections of those who were closely associated with him can never be filled.

A kind friend sent the following consolatory lines to his widow in the first sad hours of her bereavement. They contain nearly all that could have been said to soothe into the peace of Christian resignation the grief of the members of his household, where, like Burns' good cottager, he was recognized as "sage, priest, and king":

"Only a little while of brave endeavor,
Only a little while of care and strife,
And then—the perfect peace of God for ever
And the pure glories of the fadeless life.

Only a little while of patient yearning
For vanished smiles, and voices hushed of yore,
And then—our loved ones with their Lord returning,
And hands, now severed, clasped to part no more.

O blissful day! O glorious consummation!
Lo, o'er the hills the dawn is breaking fast!
Come, Light of Life, display Thy full salvation,
And speed the lonely pilgrim home at last."

He was born in Tarrant County, Texas, June 21, 1857, on his parents' farm (a headright of 640 acres), upon part of which was later built and now stands the thriving town of Arlington.

His father, Louis Finger, and mother, Mrs. Christena Finger (daughter of Joseph Pless), married in Lawrence county, Indiana, in 1836; lived on their farm in that State until 1846, and then moved to Tarrant county, Texas, and established themselves on the home place, where Mrs. Christena Finger still lives and where her husband died January 21, 1887. Their parents moved from North Carolina to Indiana at an early day, traveling overland together and settling in the latter State upon neighboring farms.

Louis Finger and Miss Christena Pless were playmates in childhood and early formed the attachment that ripened into love and marriage, and was ever afterward exemplified in happy wedded life. They joined

the Methodist church about the time of their marriage, and in their daily walk and conversation came up fully to the highest standard of Christian excellence.

Louis Finger rendered valuable service upon the frontier in early days in sometimes preventing and in others repelling Indian raids. He went to California during the gold fever, but soon returned to Texas. In the great war between the States (1861-5), although he was past the age when military service could be exacted of him, he enlisted in the Confederate army, was assigned to duty in Texas, and for some time helped guard Federal prisoners at Tyler. After the war he devoted himself to his farm. He was for a number of years justice of the peace at Arlington. His wife was born July 19, 1818, and is now 85 years of age—a venerable and beloved mother in Israel.

The following children were born to them: Mary J., wife of W. M. Harrison, a wealthy farmer at Arlington; Peter, who died in the Confederate army; Susan, widow of R. C. Ford, now living at the old home with her mother; Rachel, wife of Joseph C. Tolliver, a prominent farmer in Tarrant county; John F., a cattleman in Hall county; Francis, who died at nine years of age; Joseph, who resides with his mother and conducts the farm, and Geo. W.

Geo. W. Finger's experience until 17 years of age was that of most boys on the farm—working in the fields part of the year and during the remaining months attending school. He then entered Mansfield College in the same county and had for classmates present Congressman J. W. Stephens, Hon. James Taylor, now County Attorney of Dallas County; J. H. Walker, now Assistant Financial Agent of the State Penitentiaries; Hon. John T. Craddock, and a number of other men at this writing occupying prominent positions in Texas and who were then and in all later years his devoted friends. He was an apt student; graduated with honor at the age of 20; went to Fort Worth; read law in the office of Smith & Jarvis, and later in the office of Hon. John D. Templeton (subsequently Attorney-General of Texas), and was admitted to the bar in 1878.

December 19, 1880, he was united in marriage at Arlington to Miss Jessie L. Butler, daughter of Jesse S. and Mrs. Mary E. (Lott) Butler and granddaughter of Col. Everett E. Lott. The children of this marriage, now living, are: Olin W., who will be 21 years of age November 26, 1903, is recording clerk in the General Land Office, and is a young man of the brightest intellectual and moral promise; Grace, 14 years of age, now attending St. Mary's Academy in Austin, and Geo. W. Jr., 8 years of age.

Mrs. Finger was born and reared in Smith County; graduated from the college at Omen, in that county; moved to Arlington with her widowed mother (who is now dead), in 1878; resides in Austin with her family; holds a desk in the department of the Comptroller of Public Accounts; is a most estimable Christian lady, and has a wide circle of admiring friends, not only at the capital, but throughout the State.

Her grandfather, Colonel Lott, was one of the most distinguished men in Texas during his day; was never defeated for public office, and would probably have been elected Governor of Texas had he not sacrificed political ambition upon the altar of duty by accepting the lieutenant colonelcy of Col. R. B. Hubbard's regiment and gone to the front to help defend the Southland during the war between the States. He was born in Mississippi, February 24, 1820; came to Texas in 1840, and located in Harrison county; represented in the Texas Congress from 1842 to the end of the Republic in 1845 the district composed of Harrison, Panola, and Upshur counties; figured as a leader in that body in the passage of the "Cherokee Land Bill," in 1844, which opened to white settlement a large territory, the central portion of which is now Smith county; moved to these newly opened lands in 1845, and was a member of the board of commissioners who established the county lines of Smith county and located and platted the town of Tyler; favored annexation and helped accomplish that measure; was elected, from the old Nacogdoches district, to the Second Texas Legislature; served continuously thereafter as a member of the Legislature (part of the time in the House and part of the time in the Senate), until 1861, and died on his farm near Starrville, Smith county, January 17, 1864. He was a wealthy planter, a man of superb presence, a fine orator, and a statesman worthy of the name. He had five children, four sons and a daughter, Mary E., who was Mrs. Finger's mother.

Three children were born to Mrs. Finger's parents: Mrs. Finger, Fannie L., wife of L. C. Harrison, a merchant at Pryor Creek, I. T., and William Everett ("Sam") Butler, from 1898 to 1902 (when he declined to further be a candidate), County Clerk of Tarrant county.

Mr. and Mrs. Geo. W. Finger lived at Arlington for four or five years, after their marriage, during which time he was elected and served as the first mayor of the town, and then moved to Fort Worth, where he was appointed Assistant County Attorney, and served as such for four years with County Attorney B. P. Ayres. He afterwards, until 1891, practiced law as a member of the law firm of Stedman, Ayres & Finger, his partners being Judge N. A. Stedman and Hon. B. P. Ayres.

Mr. Finger was reading clerk of the House of Representatives of the Eighteenth, Nineteenth, Twentieth, and Twenty-second Legislatures, chief clerk of the Twenty-third Legislature, and, in the absence of the Secretary of State, presided over the House of the Twenty-fourth Legislature until the election of a Speaker. The capacity he displayed in these positions and the friends he gained, may be judged by the following, copied from the journals of the Nineteenth Legislature:

"Representative Cravens being recognized, spoke as follows: 'Mr. Finger, I have been deputized by my fellow Representatives to present to you this cane as a slight testimonial of the high esteem in which you are held by all the members of this retiring body.'

"In the discharge of your arduous and trying duties as reading clerk, during a long and laborious session, you have ever been prompt, diligent,

and faithful, and in your official capacity have always manifested a courteous resignation and noble self-sacrifice even in the midst of a shower of 'roll calls,' 'amendments,' 'substitutes,' 'second readings,' etc., such as would have vanquished the Christian fortitude of a Job.

"The facility with which you have ever managed to discover a quorum upon all occasions where a vote was had by division, has endeared you to all who dread the dismal experience of a call of the ayes and noes, and that appreciation finds expression and culminates in this token of their avowed friendship.

"May your pathway through life be gilded with the most beauteous hues of a bright prosperity, and may a long career of usefulness and unalloyed happiness dawn upon you 'ere declining nature bids you use this gold-capped staff to stay and support the tottering steps of a ripe and honored old age." Mr. Finger replied in a speech equally felicitous.

He served also as Secretary of State Democratic conventions, and other conventions of the party, and widened the circle of his acquaintances, all of whom speedily became his fast friends, as he was one of those rare men who are better liked the longer and more intimately they are known.

In 1894 he accepted the position of legal examiner in the General Land Office and served as such during the closing year of Hon. W. L. McGaughey's administration as Commissioner. During the succeeding administration of Commissioner A. J. Baker he was chief corresponding clerk. His modest and solid worth and eminent fitness to discharge the duties of any public trust had now become fully known, and the rank and file of the dominant political party, whose victories he had so often helped achieve, felt that he should be honored with preferment commensurate with his merits, and that might, perchance, prove a stepping stone to still greater honors and usefulness. This feeling found expression in the following address issued by a mass meeting held at Arlington, February 10, 1898:

"To the Democrats of Texas:

"We, the Democrats of Arlington precinct, in Tarrant county, consisting of five hundred Democratic voters, in mass meeting assembled, through a committee appointed for the purpose of passing resolutions as to the fitness of Hon. Geo. W. Finger, of Tarrant county, for Land Commissioner of Texas, do take pleasure in submitting the following:

"We most earnestly support him and recommend him as a man every way worthy to fill the position to which he aspires.

"He was born and reared to manhood in this community, where he has lived the greater part of his life. He has always been a citizen of this county, removing to Fort Worth in 1886, where he continued to reside until 1894, when he accepted a position in the General Land Office, voluntarily resigning that position on the 1st inst. to make his canvass for this position. Tarrant county has never before had one of her native born sons a candidate for a State office, and feels that she deserves, at

this time, the nomination and election of Geo. W. Finger to the position of Land Commissioner.

"Having known him all these years, we know his capabilities. He is sober, industrious and a thorough Christian gentleman, a man well equipped by nature, by education and by four years practical experience in the workings of the Land Office to fill acceptably the position which he seeks.

"Born and reared on a farm, his every impulse is in touch with the common people. By his energy, industry and exemplary character, he has attained the position in the esteem of the people which he now holds.

"His Democracy can not be questioned, and his fidelity to his friends can not be excelled. He stands squarely upon the Chicago platform and the last Democratic State platform and has never scratched a Democratic ticket.

"For the above reasons and many others, which space forbids us to mention, we most earnestly and loyally support the candidacy of Mr. Finger and urge his nomination, asking your support in his behalf, knowing if nominated and elected, which we believe will come to pass, he will so conduct the affairs of the Land Office that the whole State will be pleased and you will be fully compensated for any efforts that you may make in his behalf. Respectfully submitted, Frank McKnight, J. W. Ditto, R. B. Bryan, J. H. Watson, S. Yates, Joe W. Burney, W. F. Elliott, T. B. Collins, W. M. Dugan, G. F. Thomas, C. D. King, Thos. Spruanee, J. S. Hill, W. C. Weeks, M. J. Brinson, R. W. Collins, J. P. Rose, B. A. Mathers, M. T. Brinson, J. D. Cooper, R. H. Bordin, committee."

He was nominated on the first ballot at the State Democratic convention held at Galveston, August, 1898. The chairman of the State Democratic Executive Committee sent for him, told him that Democratic nominees would meet with opposition in certain counties, and requested him to speak over those counties first and then make a general canvass of the State for the good of the party. He readily agreed to comply with this request, and in redeeming his promise delivered telling addresses throughout South Texas, in parts of Southwest Texas, and over the Panhandle country, joining forces and traveling from place to place in the latter section with his long-time friend Congressman Stephens. Having to frequently travel in open conveyances in inclement weather, he contracted rheumatism that in a few months superinduced the paralytic strokes that resulted in his death. He spent November and part of December, 1898, at Wooten Wells and returned to his home in Austin shortly before Christmas, apparently much relieved.

He qualified as Land Commissioner January 16, 1899, and, with the assistance of Mr. John J. Terrell, whom he appointed his chief clerk, perfected organization of the office force and the establishment of such system in the dispatch of the business of the department as he desired. Suffering another attack of rheumatism, he went to the Bethesda sanitarium at Marlin, February 1, was benefited, and in about ten days re-

turned to his work, which he prosecuted vigorously until the middle of April. Then a still more violent attack threatening, he again went to Marlin. At 12 o'clock, May 1, he rolled Mr. McGinnis (formerly an employe in the General Land Office) in an invalid's chair to a bath room to take a bath and after Mr. McGinnis had been carried inside by the attendants, sat down in a chair in the hallway. While thus seated he suffered a slight stroke of paralysis of the brain and became unconscious. Drs. Cook and Torbett (the former an old school friend), physicians at the Bethesda, shortly thereafter found him in this condition, did all that medical skill could to relieve him, had him conveyed to his apartment and made comfortable, and then telegraphed for his wife.

A newspaper account of his death contains the following: "During the night he rallied and next morning was able to sit up. Mrs. Finger arrived at 1 o'clock p. m., Tuesday, May 2, and gave him every attention a devoted wife could. At about 11 o'clock Tuesday night Mr. Finger was prostrated by another paralytic stroke. Death occurred at 8:30 o'clock Thursday night, May 4.

"Of his relatives there were present Mrs. Finger and her brother, Mr. W. E. Butler, of Fort Worth. Drs. Cook and Torbett and Dr. Denton (the family physician from Austin), were in attendance. Rev. Weems Wootton and many other friends residing in Marlin and the guests at the Bethesda vied with one another in the bestowal of kind attentions; the ladies, especially, were zealous in their efforts to alleviate the anguish of the grief-stricken wife. Telegrams containing words of sympathy were sent to her there, at Fort Worth, at Arlington, and at Austin from hundreds of friends all over Texas, and are still preserved by her as treasured mementoes. The remains were embalmed and shipped to Arlington, by way of Dallas, at 1 p. m. Friday. Religious services were conducted at the Bethesda by Rev. Wootton before departure.

"The casket was followed to the train by a large number of citizens, including members of the bar and county and city officials. Judge Hunnicutt, Maj. J. J. Swann, Marshal Coleman, Alderman Samuels and Mayor Kennedy acted as an escort as far as Bremond."

A special press dispatch from Fort Worth, May 6, was as follows: "A large delegation composed of citizens and county officials, left here this morning to attend the obsequies of George W. Finger, late State Land Commissioner, which took place at 1 p. m. to-day, in Arlington, the former home of the deceased. Among those who went over to be present at the funeral were the following gentlemen, who came from Austin last night, representing both branches of the Texas Legislature: The committee from the Senate were composed of Messrs. Potter, Hanger, and Odell; from the House, Messrs. Smith of Grayson, Adams of Lavaca, Grubbs of Hunt, Ayres of Tarrant, and Rountree, chief clerk of the House. Others from Austin were John W. Robbins of Wilbarger, State Treasurer; R. W. Finley, Comptroller, and the following attaches of the Land Office: Messrs. A. Ragland of McLennan, Chief Clerk John J. Terrell of Wise, E. J. Roberts of Grayson, and J. A. Yancey of

Tarrant. These State officials were joined here by nearly all the county officials of Tarrant county and a large concourse of citizens.

"Out of respect to the dead man, all branches of the District Court were closed last evening.

"The remains of the late Land Commissioner arrived in Arlington last night and were conveyed to the home of his mother, from which place the interment occurred. The funeral services were held in the Methodist church, which was filled with members of the family and intimate friends of deceased. The casket was bedecked with a profusion of floral wreaths, unique and pretty in design, the most conspicuous of which was sent by the clerks in the office of the late Land Commissioner. The design consisted of a pillow of white and pink flowers and green smilax from which extended an arch of white flowers; in the center was suspended a heart of red flowers, across which was a ribbon bearing the name 'G. W. Finger.' Surmounting the arch was a reproduction of the seal of Texas, the wreath in white flowers and the inclosed star in pink carnations. The funeral was the largest that has occurred in North Texas for many years, for no citizen of the State was more widely known and respected than was George W. Finger. The State officials returned to the city this afternoon and departed for Austin on the 'Katy' to-night."

The flag over the State capitol was kept at half mast from the time of Mr. Finger's death until May 7, and on the day of the funeral all the State departments remained closed, in compliance with a request of Gov. Sayers and established custom. The Governor sent a message to the Legislature on the 5th, announcing the death of Mr. Finger. In the Senate the following resolution was immediately presented by Senator Hanger and unanimously adopted by a rising vote:

"Whereas, The Senate has learned with profound regret of the death of the Hon. George W. Finger, Land Commissioner of Texas, and,

"Whereas, Mr. Finger has endeared himself to the people of this State by his many noble traits of character; therefore, be it

"Resolved, That when the Senate adjourns to-day it do so out of respect to his memory, and that the secretary of this body be instructed to convey to the family of the deceased the sincere sympathy of the Senate."

In the House on the same day similar resolutions were presented by Mr. Ayres of Tarrant, and Henderson of Lamar, and unanimously adopted. The House, as a further mark of respect to his memory, adjourned until the following Monday.

The City Council of Arlington adopted the following May 12, 1899:

"Whereas, It has pleased the great Law Giver to take from among us our distinguished fellow citizen Geo. W. Finger, and remembering with gratitude the valuable services rendered our city by him, as its first mayor, in establishing our municipal government; therefore,

"Resolved, First, that the City Council of the city of Arlington deeply regrets the loss of one so capable of being of great service not alone to our town, but the State at large, and that in his death we lose a kind

friend and a useful and distinguished citizen whose place can never be filled.

"Resolved, Second, that we humbly submit to the will of him that doeth all things well.

"Resolved, Third, that we extend to the bereaved family our heartfelt sympathy in their great loss.

"Resolved, Fourth, that a copy of these resolutions be spread on our minutes and also a copy sent to the family and to our home paper and the Tarrant County Citizen."

A copy was sent to Mrs. Finger by Aldermen Thos. Spruane and J. W. Litton, a committee acting for the council.

The employes in the General Land Office held a meeting and passed resolutions expressing their sense of loss. The resolutions are too lengthy to be reproduced here. It may be said, however, they were excelled in depth of feeling by none adopted in the State. The daily and country newspapers throughout Texas of one accord expressed regret at the death of Mr. Finger and eulogized without qualification his services and character.

Mr. Terrell continued chief clerk under Judge Chas. Rogan, Mr. Finger's successor as Commissioner of the General Land Office, and was himself elected Commissioner in 1902. He manifests the interest and regard of a father for his departed friend's son, who appreciates and reciprocates his kind sentiments. Consequently the young man has in the struggle of life a clear headed, able, and resourceful ally, the weight of whose influence thrown into the scale of destiny will come as near depressing it in his favor as that of any other man living in the State could.

Mr. Finger joined the M. E. Church, South, in his boyhood and from his earliest years to his death was an earnest Christian, who believed that "faith without works is dead." He was for a time one of the stewards of the Tenth Street M. E. Church, South, and later of the Twenty-fourth Street M. E. Church, South, at Austin, and was one of the Sunday School teachers.

Rev. E. W. Solomon says of him: "My acquaintance with him began in 1895, when as pastor of the Tenth Street Church in Austin, I met him and began to know and love and appreciate him. * * * I have known no man tenderer or more devoted in his family life. * * * He was true to the church of Christ in his private and public life * * * I found him ready always for every good word and work and unhesitating in every duty that was presented to him."

What is long earthly life and continuance of the enjoyment of worldly honors, to such a man? Death, whenever it comes, is to him but a summons home! His numerous deeds of mercy, justice, and charity were seeds sown unwittingly in heaven, where they bore amaranthine flowers that angels' fingers wove for him into a beautiful crown of immortal life.

T. A. FULLER.
SAN ANTONIO.

Hon. T. A. Fuller died, after a brief illness of malarial fever, at his home, 806 Camden street, San Antonio, at 8:30 p. m., Sunday, April 27, 1902. Funeral services were held at the residence at 5:30 p. m. the following day, Rev. A. J. Harris, of the First Baptist Church, officiating. The remains were then taken to Paris, Texas, his old home, for interment in the family burying ground. Three sisters survive him.

He was born in Bonham, Texas, in 1860, the son of B. F. and Mrs. Florinda (Gordon) Fuller,¹ both now deceased; received a common school education; graduated from the State Agricultural and Mechanical College, near Bryan; studied law and was admitted to the bar; rose rapidly to prominence in his profession; served one term in the Legislature; was Assistant Attorney-General under Attorney-General Crane from 1897 to 1899, and was spoken of for the Democratic nomination for Attorney-General in 1902, but declined to make the race. He was a member of the Knights of Pythias fraternity.

Mr. Fuller was a man of marked purity of character, learned and skilled in his profession, respected by all, and beloved by a wide circle of friends. Had he lived, there is scarcely any professional or political honor in the State that he might not have attained. The world and its fevered dream of life, its delusions of wealth, its fleeting distinctions of place and power and its laurels that wither almost as soon as they are woven around the brows they are intended to adorn are now as nothing to him. The only reality, the only permanence, seems to be comprehended in that larger portion of the circle of existence that is hidden from the view of the denizens of earth, and to which his noble spirit has been introduced. It is pleasing to reflect that his natural endowments and virtuous principles and actions give certainty to the hope that all is well with him; that while we are deprived of the pleasure of his society, our loss has been his gain.

¹ Mrs. Florinda (Gordon) Fuller died in the summer of 1899. Mr. B. F. Fuller died January 27, 1903. He was actively engaged in the practice of law from 1869 to 1899; and was the author of "The History of Texas Baptists," a work of literary and historical merit, published by the Baptist Book Concern in the fall of 1900. For biographical sketch, see page 159 of the "Year Book for Texas for 1901-2."

R. C. De GRAFFENREID.

The late R. C. De Graffenreid, Congressman from the Third Texas district (Gregg, Henderson, Hunt, Rains, Rockwall, Rusk, Smith, Upshur, Van Zandt, and Wood counties), was born in Franklin, Tenn., in 1859; graduated when 19 years of age from the University of Tennessee and the following year from the Lebanon (Tenn.), Law School; practiced law for a short time at Franklin and later for one year at Chattanooga, Tenn.; then came to Texas, where he worked with the construction force that built the Texas & Pacific Railway; was afterwards assistant fuel agent and brakeman on that road; resumed the practice of law at Longview in 1883; was elected county attorney of Gregg county, but resigned the office two months later; was presidential elector on the Democratic ticket in 1888; was elected to the Fifty-fifth Congress in 1896; was elected without opposition to the Fifty-sixth Congress in 1898, and was elected to the Fifty-seventh Congress in 1900. His death occurred suddenly and unexpectedly at Washington, D. C., August 30, 1902. A few months prior to his decease he was defeated for the Democratic nomination for Congress by J. Gordon Russell, who was subsequently elected his successor.

The high esteem in which Mr. De Graffenreid was held by his colleagues is evidenced by resolutions of respect to his memory adopted at memorial services held by the national House of Representatives January 25, 1902, and the fact that Messrs. Russell, Henry, Stephens, and Ball, who were present, delivered addresses containing tributes such as come only from the hearts of loving friends and that no art can successfully counterfeit, and Messrs. Cooper, Burgess, and others who could not be present had special requests preferred and granted permitting them to have remarks printed in the journal.

In the course of his remarks Mr. Russell said: "I saw the body of Reese C. De Graffenreid laid to rest in the beautiful cemetery of the little city of Longview. * * * The houses of business were closed, the schools were suspended, and the sable evidences of grief were everywhere displayed. An immense concourse of people, not only from his own place of residence, but from the surrounding counties, drawn from every class and condition of life, were there, bringing tokens of affection in the shape of lovely flowers. His friends and neighbors bore cheerful testimony in the shape of brief public addresses to the esteem in which he was held, and the sincere grief which was everywhere manifested was an indubitable evidence of his universal popularity and of the strong hold which he had upon the affections of the people.

"His disposition was affectionate and his manners gracious without the semblance of being patronizing. * * * He enjoyed a very large practice, both civil and criminal, and was exceptionally fortunate in securing verdicts. * * * In the management of his cases he was

keen, alert, and possessed of rare tact and judgment, and in presenting his side of the issues, either to the court or the jury, he was resourceful, persuasive and eloquent.

"As a political debater he was impetuous and forcible, full of ideas, and never halting for the most beautiful language in which to clothe them. Indeed, his graces and gifts of oratory admirably equipped him for the discussion of public questions and rendered him a valuable champion and dangerous antagonist in the arena of forensic contest."

Mr. Kleberg said: "He was patriotic and high-minded. * * * He neither faltered in his convictions nor his friendships * * * true as the needle to the pole. * * * Under his rough exterior there beat a heart full of * * * kindness. * * * He loved and served faithfully the great people who honored him with their suffrages and was always mindful of the public trust with which they clothed him; * * * painstaking and untiring * * * in the discharge of his official duties. In his death the country has lost a faithful servant, his State a noble son, and those who knew him a loyal friend, and, as we deplore the death of our colleague in this solemn hour, let us invoke the blessing and protection of a kind Providence to hover over her who is left alone to mourn the loss of a beloved husband."

Mr. Burgess said: "In life, he was my true and loyal friend. * * * 'De,' as he was familiarly called by his friends, was a lawyer of fine ability. * * * In politics he was known as a fighter, who in all matters of principle asked no quarter and gave none; * * * a man of clear convictions and of that greater trait, the courage of them. * * * Innately a gentleman, not so much by the outward polish of this world, but by the gift of God—one whose tenderness toward all mankind suggests the beautiful lines:

"Nature with a lavish hand
Sends forth her nobly born,
And laughs the paltry attributes
Of wealth and rank to scorn."

Mr. De Graffenreid was fully six feet in height, of massive build and herculean physical strength; dark complexioned; his eyes, hair, and heavy mustache raven black. As beffited such a physique, his carriage was erect, his motion slow, and his manner dignified. Physically he was a striking figure in every assembly in which he mingled, and mentally commanded the respect, not only of his immediate constituents, but of the members (both Democrats and Republicans) of the most talented and critical body of legislators in the world—the United States House of Representatives.

The Fifty-seventh Congress made an appropriation of \$5000 to be paid Mrs. De Graffenreid.

JOHN L. SHEPPARD.

John L. Sheppard, who died at Eureka Springs, Ark., of Bright's disease, October 11, 1902, and who has been succeeded as United States Congressman from the Fourth Texas district by his son Morris Sheppard, was born at Blufton, Chambers county, Ala., April 13, 1854; was brought to Texas in 1858 by his mother, who settled on a small farm in that part of Titus county now embraced in Morris county; was admitted to the bar and began the practice of law at Daingerfield in 1879; was elected district attorney of the Fifth Judicial District in 1882 and, by re-election, filled the position for six years; was elected district judge in 1888, and, without opposition for the Democratic nomination served as such for eight years; was temporary chairman of the State Democratic convention in 1892; was a delegate to the bimetallic convention at Chicago in 1893; was a delegate to the national Democratic convention in 1896 and one of the committee appointed by that body to notify Hon. W. J. Bryan of his nomination for the presidency, and was elected to Congress in 1898 and 1900, and renominated in 1902; but, dying before the election, his son was nominated and elected in his stead. Of his children four sons (Morris, Clifton, Paul, and John L., Jr.), and three daughters (Mrs. William T. Killnan of Sulphur Springs, and two unmarried), are living.

At memorial services held by the national House of Representatives, January 25, 1903, the following resolutions, introduced by Congressman Henry, of Texas, were adopted:

"Resolved, That, in pursuance of the special order heretofore adopted, the House proceed to pay tribute to the memory of Hon. John L. Sheppard, late a member of the House of Representatives from the State of Texas.

"Resolved, That, as a particular mark of respect to the memory of deceased and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of the memorial proceedings of this day, shall stand adjourned.

"Resolved, That the clerk communicate these resolutions to the Senate.

"Resolved, That the clerk be, and is hereby, instructed to send a copy of these resolutions to the family of the deceased."

Judge Henry then delivered an address, in which he stated the main facts in the life of his deceased colleague, spoke of his Christian character, abilities, and public services, and pronounced a eulogium. In speaking of Judge Sheppard's personal appearance, he said: "My first recollection of him * * * is when I knew him as a strong and handsome young man just beginning the practice of law. He was of robust and well rounded figure, weighing nearly 200 pounds, and I then thought him one of the most superb specimens of physical manhood I had ever seen. He was strong, handsome, intrepid, and magnetic. * * *

One look into his manly face convinced anyone of his unswerving honesty and the dauntless courage which characterized his every deed."

Of his record as district attorney and district judge, he said, in part: "I never knew him to persecute, or take an advantage of a defendant or his counsel. He scorned the abuse of place and power. He relied exclusively upon the law and facts in every case. He resorted to no wiles or tricks. * * * His acts as district attorney * * * were characterized with fairness, justice, and mercy. * * * Day after day, week after week, and month after month, I have heard him announce himself ready for trial with the State's cases and proceed without the least evidence of fatigue or exhaustion. His physical strength and unflagging mental powers in that direction were marvelous. * * * I have heard him rise to the loftiest heights of fervid eloquence. At times he thrilled his auditors and the jury with feelings that only the truly eloquent can arouse. * * * I never knew a better prosecuting officer.

"* * * During his eight years of service as district judge he was reversed but once, in a criminal case, by the appellate court. In this case he was not reversed on a proposition of law, but because he refused to permit a juror to impeach his verdict. Representing the State in the appellate court at that time, it was my opinion that the higher court, and not he, committed error. It is most probable that no *nisi prius* judge has ever equaled this conspicuous and remarkable record.

"* * * His life went out not as sinks the sun beneath the western horizon, but as the morning star which melts away into the light of heaven."

The Fifty-seventh Congress appropriated \$5000 to be paid to Mrs. Sheppard.

In the House of Representatives of the Twenty-eighth Legislature of Texas the following resolution was offered by Messrs. Ragland and Napier, January 17, 1903, and adopted by a unanimous rising vote:

"Resolved, That the House of Representatives of Texas mourns the deaths of Hons. John L. Sheppard and R. C. De Graffenreid, late members of Congress from Texas, and that we extend to their families our profound sympathy.

"That a page of to-day's journal, suitably inscribed, be set apart for the publication of this testimonial of our appreciation for the distinguished dead."

Judge Sheppard's rise to important political preferment was the result of a recognition of his moral worth, intellectual force, and fitness by those who had known him from his boyhood, and who, as his constituents, never had cause to regret the faith they reposed in him; whose prophecies that he would acquit himself with distinction and perform patriotic labors of value to the country, were amply verified.

His son, Morris Sheppard, is one of the youngest men ever elected to the United States Congress. [He was born May 28, 1875, and grad-

uated from the University of Texas in 1895.] He seems to have inherited, in a liberal measure, his father's popularity and talents, and it is the hope of all that he will live to accomplish achievements upon which to base solid and enduring fame. The State having been redistricted by the Twenty-seventh Legislature (Act September 6, 1901), he represents the First District, Bowie, his home county, having been made a part of that district.

THOMAS P. OCHILTREE.

Col. Thomas P. Ochiltree's death at Hot Springs, Va., November 25, 1902, of heart trouble, brought a feeling of sadness to his many friends in Texas. The end came to him without pain.

He was a son of Judge Wm. B. Ochiltree, who was distinguished in the early days of the Republic and the annals of State until secession, his last public service being as a delegate to the provisional Congress at Montgomery, Ala.

Thomas P. Ochiltree was born in Livingston, Sumter county, Ala., October 26, 1839, and was reared at Nacogdoches and Marshall, Texas, where he secured a good classical education. Entering the United States army, he served in a campaign against the Indians on the Texas frontier in 1854 and 1855.

He was first assistant chief clerk of the House of Representatives of the Sixth Legislature at the adjourned session in 1856; filled the same position in the House of the Seventh Legislature in 1857-8; secretary of the Democratic convention for the eastern congressional district of Texas that met at Tyler, May 13, 1857; one of the sergeants-at-arms of the State Democratic convention that met at Waco, May 14, 1857, (the first held in Texas); secretary of the State Democratic convention that met at Galveston in April, 1860; had his disabilities as a minor removed and was admitted to the bar by a special act of the Legislature at the winter session of 1857-8, and thereafter practiced both at Marshall and Jefferson with his father, and for a time at the latter place in the office of his brother-in-law, Gen. James H. Rogers; edited, in 1860, the Jeffersonian, a newspaper published at Jefferson; participated, as a delegate, in the national Democratic convention that met in Charleston, April 23, 1860, and at the session of that division of the delegates who later (after the split) met at Baltimore, June 23, 1860, and nominated John C. Breckinridge and Joseph Lane respectively for president and vice-president of the United States, and volunteered as a private in Bass' company, First Texas Regiment, Hood's brigade, army of Northern Virginia, early in the war between the States, and was promoted, in the order named, to the positions of lieutenant, captain, and major of the adjutant general's department, serving with distinction on the staffs of Generals

Sibley, Tom Green, Dick Taylor, Longstreet, and Maxey, in the armies of Northern Virginia, New Mexico, Louisiana, Indian Territory, and Arkansas. While serving as volunteer aide on the staff of General Sibley he was entrusted with the duty of bearing important dispatches to Richmond, which he accomplished, bringing back replies. Gen. Tom Green accorded him, in an official report, the praise of being a gallant and true soldier.

After being released from the Federal military prison on Johnson's Island, Lake Erie, at the close of the war he went to Europe, where he spent a few months. He then returned to the United States where he wrote for the New York News along with Roger A. Pryor, Thomas A. Sneed and S. S. Cox. He returned to Texas late in 1865; practiced law for a short time at Galveston; was afterwards legislative correspondent and junior editor, and later part proprietor of the Houston Daily Telegraph; went to Europe in 1867 as representative of the banking and shipping house of T. H. McMahon & Co., and other leading merchants, for the purpose of inducing the establishment of a direct line of steamers between Liverpool and Galveston, an object he accomplished, but the line was later discontinued owing to heavy losses and want of patronage; was a candidate for Congress in 1869 against W. T. Clark, but withdrew from the race just before the election; was principal agent in Europe for Texas during the existence of the Immigration Bureau established by the State Constitution in 1869; was later United States marshal for the eastern district of Texas; was candidate for sheriff of Galveston County in 1878, but was defeated, and in 1882 was elected to the United States Congress as representative of the Seventh Texas district, after which he made his home in New York, where he was identified with J. W. Mackay and his various enterprises for several years as a lobbyist. He espoused the candidacy of Gen. U. S. Grant for the presidency, was a frequent visitor at the home of the general at Washington, and upon going to Europe was supplied by him with letters to United States ministers and others, that gave him the entree to the best society in every country he visited.

If it is a safe rule to accept the opinions of those who know men best as a criterion to judge of their good qualities, Thomas P. Ochiltree possessed many amiable and noble traits. The name is a historic one in Texas. He will be ever kindly remembered in this State for the days of auld lang syne and for the gallant service he rendered while he wore the Confederate gray.

R. S. HARRISON,
AUSTIN,

Died in that city at his home, corner of Eighth and San Antonio streets, about 8 a. m., Tuesday, February 25, 1903. He was born in Petersburg, Va., July 25, 1843, the son of Dr. W. J. Harrison, a prominent physician; was a student at Columbia College, Washington, D. C., at the beginning of the war between the States; returned to Sussex county in April, 1861, on the secession of Virginia, and enlisted as a private in Company H, Thirteenth Virginia Cavalry; was appointed adjutant of the regiment in 1863; participated in the battles of Gettysburg, Fredericksburg, and the Wilderness and nearly all the important engagements fought by the army of Northern Virginia; took part in Gen. J. E. B. Stuart's famous raid through Pennsylvania; at Appomattox Court House, assisted in filling out the paroles of Gen. William H. F. Lee's division of cavalry, to which his regiment belonged; from the surrender until January, 1869, farmed in Sussex county, Virginia; moved to Washington county, Texas, in that month; went to Austin in 1872, where he was for some time bookkeeper in the State treasury (under Treasurer Graham); shouldered a musket and helped seat Richard Coke in the gubernatorial chair in January, 1874; was chief bookkeeper in the Comptroller's department from 1874 to 1887; engaged in the real estate business until 1891; and was appointed State Revenue Agent by Gov. Hogg, June 13, 1891, and filled the position until February 7, 1895. For several years prior to his decease he was in very feeble health.

Mr. Harrison's wife (nee Miss Alice Hollingsworth), three grown children, William L. and Misses Grace and Alice, and a brother, Henry D. Harrison, survive him.

He was a deacon of the First Baptist Church, of Austin, a leading teacher in the Sunday school, and a most exemplary Christian. He was a classmate of William L. Wilson, of West Virginia (one time Democratic leader in the United States House of Representatives and Postmaster General under President Grover Cleveland), and a warm personal friendship existed between them, the ties of which were only severed by death.

HON. A. W. De BERRY.**ARANSAS PASS.**

The death of this distinguished lawyer and honored citizen of Texas occurred at his home in Aransas Pass at 5:30 p. m., April 4, 1903.

He was appointed Secretary of State by Gov. Richard Coke January 27, 1874, was reappointed to the position by Gov. Coke April 28, 1876, and filled it until December 7, 1876, when he was succeeded by Hon. I. G. Searcy, Gov. Hubbard's appointee.

W. M. BROWN.**AUSTIN.**

In the death of Col. W. M. Brown, at the Austin Sanitarium, at 11:50 p. m., August 2, 1902, some hours after a surgical operation had been performed upon him for appendicitis, the State lost a citizen in whose character were illustrated the best traits that distinguished the true gentleman, not only of the South (and he was, in a modest way, proud of being Southern born, and of Virginia lineage), but the world over, and the true Christian, mingled with the unselfish love for country and resolute courage (both physical and moral) that made the Roman name a synonym for manly virtue during the early days of the Republic.

He was carried from his home to the Sanitarium, his physicians, Drs. Bennett and Hudson desiring to perform the operation there. Colonel Brown was 64 years of age at the time of his death. The funeral occurred at 5 p. m., August 3, 1903, from the family residence, 202 East Fourteenth street. The pallbearers were Capt. John Orr, Capt. E. A. Bolmes, Gen. Henry E. Shelley, Maj. Geo. W. Littlefield, Maj. E. B. Carruth, Col. Joel H. B. Miller, Col. R. M. Love, and R. P. Bull.

The remains were followed by John B. Hood Camp, U. C. V., and a large concourse of friends to the city cemetery, where all that was mortal of him was laid tenderly and lovingly to rest in the bosom of Texas, his State by adoption, for whose welfare, during many of the best years of his life, he wrought faithfully and well. Rev. R. K. Smoot of the Free Presbyterian Church, conducted the religious ceremonies.

His widow (nee Miss Mamie Dill, daughter of Mrs. N. L. Dill, of Austin), and the following children survive him: Misses Nellie, Flora, and Minnelma Brown, and Morton Brown. Morton has a position in the department of the State Comptroller of Public Accounts, tendered him by Comptroller Love immediately upon the death of Colonel Brown, who to the time of his decease held an important desk in the office.

Colonel Brown was first lieutenant of the famous Rock Bridge Artillery.

lery Company during the war between the States, from 1861 to sometime during the last year of the war, when he was captured and, with other Confederate officers, imprisoned on Johnson's Island. He participated in nearly all the great battles fought by the army of Northern Virginia and on two occasions was severely wounded—notably at Gettysburg, where he was shot through both legs. Some of these wounds never completely healed. A son of Gen. R. E. Lee was a member of the company.

After the surrender Colonel Brown moved to Texas and embarked in the mercantile and cotton commission business, and accumulated a considerable fortune, which, however, was lost in subsequent ventures through no fault of his.

He was a member of the Texas Senate a number of years, and made a State-wide reputation as a man of sound views and high ability.

He was elected Comptroller of Public Accounts in 1882 and filled the position one term. While so serving he was, by virtue of his office, a member of the board that contracted for the building of the present State capitol, and it was largely due to his good business sense, firmness, and knowledge of law that a contract was finally perfected that secured for Texas the most durable, imposing, and best appointed State capitol in the Union, for much less than others that rival it have cost.

During Gov. Ross' administration he was State Oil Inspector. Prior and subsequent to holding this office, he was actively engaged in the practice of law. He ranked well at the bar. He was tendered and accepted the position, previously spoken of, in the Comptroller's department, upon Col. R. M. Love being elected Comptroller and taking charge of the department.

He was one of the organizers of John B. Hood Camp of Confederate Veterans at Austin in 1884, and was a member of its first board of trustees. The object had in view in forming the camp was to take the united action that resulted in establishing at Austin a home for disabled ex-Confederate soldiers. As is well known the home was transferred to the State in 1891, under an act passed by the Twenty-second Legislature for that purpose. The bill providing for this transfer was drawn by a committee of three (of which he was a member), appointed by the camp. Upon the reorganization of the camp, under an amendment to its charter permitting it to erect in the capitol grounds at Austin a monument to the Confederate dead, he lent his aid zealously to the new movement, and to him is due part of the credit for the noble cenotaph that now stands beneath the protecting shadow of our State house and that, with its heroic figures and inscriptions, will challenge the reverent attention of the people of many ages.

STATE DEMOCRATIC CONVENTION.

The State Democratic convention was called to order at thirty minutes past the noon hour July 15, 1902, in the Auditorium building at Galveston, by Hon. James B. Wells, chairman of the State Democratic executive committee.

Rev. W. M. Harris, pastor of the First Baptist Church of Galveston, offered the opening prayer.

Judge Wm. T. Austin, chairman of the Galveston commission, delivered the address of welcome and was responded to by Chairman Wells. In the course of his remarks Judge Austin said: "We are deeply impressed with the fact that this assembling here at this time of your distinguished body was not brought about through an effort simply to find a suitable meeting place for your convention, but that the same was prompted by a desire on the part of the people of our State to extend a helping hand to Galveston.

"We all know that Galveston, in the strict order of things, is not entitled to have the convention meet here at this time. That honor was conferred upon our city only four years ago and some other city was this year more justly entitled to the honor. But since the great disaster that happened here on September 8, 1900, the whole country, and particularly the people of our State, have shown on all hands an eagerness to encourage our people in the heroic efforts they are making to rehabilitate our city, and it was in this spirit that it was decided you should meet here, and that charity and sympathy for our suffering people, which has prevailed throughout, was fully exemplified in the readiness with which all other claimants for the honor and the privilege of entertaining you yielded to the wishes of Galveston.

"It is particularly appropriate that you should meet here at this time as Galveston is a suppliant for your aid and assistance in the struggle its people are making against the fates which have rendered her almost helpless. They seek to have you, as the representatives of the dominant political party of this State, yea, as the very people themselves, to speak out and say whether it is their wish that Galveston shall live or die.

"* * * We do not ask, my friends, one dollar to be given out of the public treasury, but we simply ask that we be allowed to husband our own crippled resources to assist us in recuperating our lost fortunes. * * *

"We turn over the city today to you during your stay with us. We are yours to command. Every citizen has constituted himself or herself a committee of one to extend you every courtesy * * * and to in every way possible make your stay here comfortable and agreeable."

Judge Wells said in part: "Representatives of the city of Galveston, allow me the honor of receiving from you the hospitality of your beautiful city; allow me, in the name of the great heart of the Democracy of

Texas, to say to you that as long as a Democratic pulse beats in Texas, the beautiful and heroic city of Galveston shall not perish and die.

"* * * I thank you heartily, citizens of Galveston, in the name of this convention, for your greeting and assure you that all that the Democratic party of the State can do will be done."

Chairman Wells appointed Hon. Joseph E. Cockrell of Dallas, Hon. R. H. Ward of Bexar, and Hon. Cecil Smith of Grayson, to escort to the chair Hon. George C. Pendleton of Belton, who had been selected by the executive committee for temporary chairman. Mr. Pendleton, in a graceful speech, acknowledged the honor conferred. On motion of Hon. R. A. John, of Williamson, the convention ratified the action of the executive committee in making the selection.

The recommendations of that committee for other temporary officers were read and adopted.

R. D. Hart, of Bowie, moved that committees on platform and resolutions, credentials, and permanent organization and order of business be appointed, delegations from each senatorial district to name a member for each committee. Carried.

Fields, of Hill, moved that all resolutions be referred without debate. Carried.

Wells, of Cameron, moved that a recess of thirty minutes be taken in order to afford time for the selection of committeemen. Carried.

On reconvening several resolutions were introduced and referred.

The following committees were then announced, after which the convention adjourned to 5:30 p. m.:

Platform and Resolutions—R. R. Lockett, of Bowie; Gus Shaw, of Red River; Tom C. Bradley, of Fannin; J. W. Blake, of Grayson; J. D. Cottrell, of Hunt; Thomas R. Love, of Dallas; J. W. Fitzgerald; T. S. Cavin; George T. Jester, of Navarro; Nelson Phillips, of Hill; W. L. Radney, of McLennan; A. C. Breitz, of Brazoria; T. M. Campbell, of Anderson; R. A. Greer, of Jefferson; Thomas H. Ball, of Walker; R. M. Johnston, of El Paso; R. V. Davidson, of Galveston; C. E. Lane, of Fayette; D. C. Giddings, of Washington; R. A. John, of Williamson; J. B. Dibrell, of Guadalupe; A. B. Davidson, of De Witt; Stanley Welsh, of Nueces; Walton Peteet, of Bexar; W. W. Turney, of El Paso; Eugene Moore, of Erath; E. P. Curtis, of Bell; A. L. Camp, of Midland; H. H. Wallace, of Hartley; M. A. Spoons, of Tarrant, and Charles Soward.

Permanent Organization and Order of Business—J. M. Robinson, of Morris; W. C. Rountree, of Delta; W. R. Evans, of Fannin; W. B. Denson, of Cooke; William Pierson, of Hunt; E. D. Foree, of Rockwall; J. A. Germany, of Van Zandt; S. J. Hendrick, of Rusk; W. T. Carroll, of Henderson; J. P. Bislau, of Ellis; Monta J. Moore, of Milam; J. W. Wood, of Robertson; J. T. Adams, of Orange; J. A. Herrin, of Madison; J. H. P. Davis, of Fort Bend; A. E. Masterson, of Brazoria; Sam Brewer, of Austin; M. L. Womack, of Burleson; W. H. Browning, of Lampasas; J. V. Pfeuffer, of Comal; W. E. Edelen, of Jackson; John

Willacy, of San Patricio; Charles Schreiner, of Kerr; Tom Duggan, of Tom Green; C. C. F. Blanchard; J. H. Arnold, of Coryell; C. A. Foster, of Haskell; S. R. Crawford, of Young; Howard Martin, of Parker, and C. V. Terrell.

Credentials—L. A. Whatley; John J. Cox, of Mills; E. A. Calvin, of Lamar; J. T. Leonard, of Cooke; B. F. Vaughan, of Hunt; W. H. Patterson, of Dallas; B. A. Ragland, of Upshur; J. B. Howard; T. B. Griffith, of Kaufman; W. H. Bledsoe, of Johnson; J. J. Swan, of Falls; J. Felton Lane, of Robertson; S. M. Davis, of San Augustine; Frank Brigance, of Grimes; J. D. Hovey, of Waller; F. J. Hardy, of Wharton; Marcus Schwartz, of Lavaca; M. S. Merchant, of Lee; E. R. McLean, of Travis; W. B. Sayers, of Gonzales; B. W. Fly, of Gonzales; J. O. Nicholson, of Webb; A. P. Moursund, of Gillespie; C. C. Harris, of Medina; J. T. James, of Hamilton; Ed. W. Smith, of Howard; W. K. Graham, of Young; John S. Hood, of Hood, and W. M. Cobb, of Montague.

At the evening session Judge C. C. Potter, of Gainesville, secured unanimous consent to introduce and have read the following resolution:

“Resolved, First, that the Democracy of Texas deeply regret that the time has come when it must lose from among its active workers that distinguished statesman, patriot, and leader, the Hon. John H. Reagan.

“Second, for half a century he has been conspicuous as one of the boldest, wisest, and most faithful champions of Democracy and the rights of the people. But few men can boast of a public career covering such a long period of time, so free from blemish, and yet so rich in achievements. Prominently connected with the great and stirring events from 1861 to 1865, being the only surviving member of either of the civil war cabinets, he has since then been intimately and honorably identified with the great public questions that have come before the American people and his wisdom has impressed itself upon much of the legislation, both State and national, during this time. And now, after a long official life full of faithful service and honors, he voluntarily withdraws from active participation in public affairs.

“Third, that the love of a great people will follow this venerable tribune to his retirement, and they pray the choicest blessings of heaven upon him, and trust that his remaining years may be as peaceful as his life has been honorable and useful, and that his splendid intellect, equipped by his vast and varied public service and private study, may yet leave its ripest wisdom upon the historic page for the use of future generations.”

The resolution was adopted by a rising vote, amid the greatest enthusiasm.

Judge Reagan responded in an address that was cheered to the echo.

On motion of Hon. W. B. Wortham, ex-State Treasurer, by a unanimous rising vote, ex-Gov. F. R. Lubbock was invited to a seat on the rostrum beside Judge Reagan. Colonel Wortham moved that the band play “Dixie,” which was done with a will, the delegates cheering.

Gov. Lubbock delivered a brief address, which afforded opportunity for applause, which was utilized to the utmost.

W. C. Wear, of Hillsboro, secured unanimous consent to offer the following resolution:

"Whereas, Since the meeting of the last State Democratic convention, the Democratic party and the State of Texas have lost by death an able and efficient and capable officer; and,

"Whereas, The Democratic party of this State loved him and honored him in his life and cherishes and reveres his memory; therefore, be it

"Resolved, by the Democratic party of the State of Texas, that we express our appreciation of the distinguished services to his party of the late Attorney-General of Texas, the Hon. Thos. S. Smith, and extend to his family our profound sympathy in their great and untimely loss in the death of this great patriot, lawyer, and statesman. (Signed) W. C. Wear, Frank Andrews, Jack Beall, W. W. Turney, Nelson Phillips, R. M. Johnston, O. L. Stribling, Thos. H. Ball, John H. Reagan."

The resolution was unanimously adopted.

Upon Judge Edward Gray, of Dallas, stating that the platform committee would not be ready to report until morning, adjournment was had to that time.

The committee on platform and resolutions was called to order at 4 p. m. by Hon. George T. Jester. Hon. R. A. John was elected chairman of the committee, J. D. Cottrell, secretary, and Asher Smoot, assistant secretary. On motion of Hon. J. W. Blake, the following sub-committee of nine was appointed to draft a platform and submit it to the full committee: Thos. H. Ball, chairman; George T. Jester, J. B. Dibrell, R. M. Johnston, R. V. Davidson, D. C. Giddings, Jr., T. M. Campbell J. W. Blake, and T. B. Love.

The convention reassembled at 9:30 a. m., July 16. The committees on credentials and permanent organization made their reports, which were adopted.

The following were the permanent officers: Wm. P. McLean, of Tarrant, chairman; L. S. Schluter, of Marion; E. A. Cheatham, of Orange; R. T. Milner, of Rusk; J. F. Nichols, of Hunt; W. H. Clark, of Dallas; Jerre Cook, of Houston; J. C. Scott, of Robertson; J. C. Williams, of Walker; R. C. Gaines, of Brazoria; W. B. Garrett, of Washington; Pat M. Neff, of McLennan; C. E. Gilbert, of Travis; M. K. Graham, of Young; F. Hampe, of Comal; Archie Parr, of Duval, and A. J. Baker, of Tom Green, vice-presidents; Mark Logan, of Coryell, secretary; Dan Jackson, Joe Henderson, Bob Barker, R. P. Dorrough, J. W. Nixon, and J. S. Stephenson, assistant secretaries; Bob Goodfellow, of Coleman, sergeant-at-arms; W. H. Smith, of Kaufman; Maurice Coffey, of Galveston; L. O. Train, of Burleson, J. J. Giddings, of Ellis, and John L. Ceasley, of Wise, assistant sergeants-at-arms.

Rudolph Kleberg, of Galveston; C. P. Potter, of Cooke, and J. J. Cox, of Mills, appointed for the purpose by the presiding officer, escorted Judge Wm. P. McLean, permanent chairman, to the stand, where he

was introduced by Temporary Chairman Pendleton and said that the honor had come to him unsolicited and he was, consequently, without a speech, which he knew would please the convention. In the course of his remarks he called attention to the fact that for more than fifty years, with a slight intermission, the Democratic party had been in control of the affairs of Texas. He said there should be no divisions in the party, as the people would view as a calamity the idea of turning the State government over to any other political party in the Union. He declared that he was proud of the fact that not a single stain had ever marked a Democratic executive of Texas.

Thomas Bell, of Brown county, wanted information as to nominating speeches. It was furnished him by Judge Hendrick, of Rusk, who said that after the Lanham addresses, speeches would be dispensed with.

On motion of J. J. Cox, the regular order of business was suspended so that nominations could be made without waiting further for the delayed report of the committee on platform and resolutions.

On motion of S. J. Hendrick, of Rusk, the vice-presidents took seats on the stand.

On motion of R. D. Hart, of Bowie, the convention took a recess for ten minutes to await the arrival of Colonel Lanham. In the interval the band played "Dixie."

When the delegates reconvened Judge John H. Reagan arose from his seat on the platform, amid great cheering and waving of hats and umbrellas, was introduced by Chairman McLean, and placed the name of S. W. T. Lanham, of Parker county, before the convention for Governor. In nominating Col. Lanham, Judge Reagan said:

"Mr. President and Gentlemen of the Convention:

"It is with special pleasure that I present to this Democratic convention the name of the Hon. S. W. T. Lanham for nomination for the office of Governor of this great State. As a citizen he is of the highest character for uprightness and purity of life; as a statesman he ranks with the ablest, and after a long public service his political life is without a blemish. He is a Democrat of the school of the illustrious Thomas Jefferson. In his course as a public man he has shown that he is guided by principle rather than by expediency. He needs no qualifying adjective to describe his Democracy. He will obey the constitution and enforce the laws, and favor equal rights and exact justice to all, exclusive privileges to none. And he has shown that he has the courage to adhere to principle and do his duty with no other inquiry except as to what is right and just.

"If he shall be elected Governor we know that he will use the power of that great office to protect the people against all monopolies and trusts, and that while doing all that he can for the public good, and favoring the most enlightened system of education he will do what he can to promote the highest and purest political morality.

"In placing Mr. Lanham in nomination it is right for me to say that he was a brave and faithful Confederate soldier in the late war; that I

have known him well both as a citizen and a member of the Congress of the United States for many years, and I have not known a purer, a better or a more patriotic man. He will be a worthy successor of a long line of able and patriotic governors of our beloved State.

"We know that we can rely upon him to uphold and defend the principles of the national Democratic party, and that he will not, on the pretense of harmony, betray it into the adoption of the Republican policies of surrendering the government to the money holders and the high protectionists, and the unlawful trusts and monopolies, by the sacrifice of just political principles, as the Republicans have done, as a means of obtaining political power and of using that power to enrich their adherents at the expense of the industrial classes.

"We know that he will aid the Democracy in the effort to secure a return to a government under the constitution, resting on principles in which the citizen and his rights will not be subordinated to the interests of the money lords and corporations. In him we will have a fit representative of the brave and true Democracy, of the gallant sons and lovely daughters of Texas."

Hon. Carlos Bee, of Bexar, in seconding the nomination, said that he deeply appreciated the honor, as he was a representative from the southwestern portion of Texas, which with one accord stood solidly for the man whose name was before the convention for Governor. He reviewed in glowing terms the life-record of Colonel Lanham and was frequently applauded.

On motion nominations were closed and Lanham was nominated by acclamation.

The following committee, appointed by the chairman, escorted Colonel Lanham to the platform: S. Zackarias, of Cooke; R. D. Hart, of Bowie; T. M. Campbell, of Anderson; Howard Martin, of Parker; W. T. Eldridge, of Colorado, and ex-Gov. F. R. Lubbock of Travis. Ex-Gov. Lubbock was in advance, and as the committee came down the aisle the band played "Hail to the Chief," amid tremendous cheering. When Colonel Lanham reached the platform the cheering was again renewed. When it subsided he was introduced by Chairman McLean, and said:

"To be chosen by this great representative electorate of the best political party that has ever had existence since the foundation of popular government, for the highest office in the grandest State of the American Union; to be selected to follow in the long line of illustrious men of the same creed, whose names and deeds are the dowry of our mighty commonwealth, is an honor of immeasurable magnitude and a dignity of incalculable importance. When to this is added the fact, notable in its significance, that the nomination you have just conferred is the result of the practically unanimous expression of those for whom you speak, in every county of the State, and has come to pass without the acrimony of competition or the strife of rival ambition, or any resort to questionable methods, the honor bestowed and the dignity involved are indeed superlative.

"He whom you have thus distinguished, impressed as he has never hitherto been, with the depths of his whole being indescribably stirred, with an acute sense of the momentous responsibility imposed and a gratitude unspeakable for the favor and confidence made manifest, candidly introspects and searches his own soul, and, disdaining all disguise, proounds to himself the question: 'Who and what art thou, O man, that thy people should be thus mindful of thee, and what hast thou done that they should so visit thee?' All the fallibility, the infirmity and unworthiness of which he is conscious, rise up before him with a prominence never previously perceived nor fully realized, and he is constrained to answer that he is honored beyond his deserts. Kindred to the humility with which a man stands in the presence of his Maker, and differing only in degree, should be the feeling with which a considerate citizen appears before the sovereignty of his country, in obedience to its summons and in deference to its mandate; for in either case, superiority confronts him and he is cognizant of his own weakness and dependence.

"I am your servant, my countrymen, and, while profoundly sensible of my imperfection and limitation of capacity for all that may be required; while in my hand I bring no extraordinary merit nor surpassing qualification, I can truthfully affirm that I shall cling with unwavering fealty in my heart to every obligation that may rest upon me. I promise you that I shall be true to my trust, and I conjure you and those whom you represent to be just in all things to him who shall faithfully endeavor to serve you. Let no Democrat, loyal to his party, his country and truth, ever attempt to mislead him, or make any uncandid appeal to his credulity, or take selfish advantage of his confidence and sense of reliance. In no case, I beg of you, ever ask him to do anything that you would not yourself do, if you were situated as he shall be, nor urge him to refrain from doing what you would do, if the same responsibility were upon you. It is due to him whom you designate as your instrument in the public service, and the efficiency of which he is obligated to promote, that you shall be absolutely frank and conscientious with him, and aid him in every appropriate way to the best possible performance of that unto which you call him, while he owes it to you and the country to execute the commission you place in his hands as far as the compass of his ability will allow.

"It is meet that we should begin and prosecute and consummate the great work that lies out before us with a thorough understanding of the reciprocal relations we sustain to each other, the unison that ought to subsist between principal and agent, and a determined purpose of earnest co-operation. I trust that I do not underestimate the nature and extent of the service to which you have assigned me, and I humbly pray that my strength and devotion may prove equal to all its demands, and that I may be constantly fortified and upheld in every requisition upon my efforts by the advice and assistance of all patriotic men.

"The platform which your wisdom defines as the policy of the State, shall be 'the man of my counsel,' and its behests shall be continually

before my eyes. It should be to party practice and observance what the constitution is to the State.

"The good of the people, the civic equality of the citizen, the conservation of liberty and justice to all men, judicious economy, the fair treatment of every legitimate interest, the patient hearing of every righteous cause, the enforcement of law and order, unceasing vigilance that nothing of detriment shall come to our great Republic, unwavering fidelity to duty as it may be given me to see it, shall be the rule of my official conduct. I shall strive—and I wish to accentuate and reinforce the resolution by public avowal in this great presence—to so demean myself that all the people, and particularly the young men of the State, shall not discover in what shall be done any just occasion for censure or cause of reproach, but rather may find an example and inspiration for the exertion of their highest energies in upbuilding the standard of political virtue and individual rectitude.

"I consecrate myself and all that is within me to the service of the State and the promotion, as far as may be in my power, of its essential welfare, material progress and development. I believe in the great primary sovereignty of the State and the resolute maintenance of that original power, never delegated, never surrendered, but always remaining in it and residing with the people. The hope of our common country rests in preserving inviolable the reserved authority of the State and the wise administration of all its affairs. In my conception, the highest order of patriotic endeavor and the most enduring contribution that can be made to the cause of good government will be found in that which magnifies and dignifies the State and continues in all its pristine vigor the basal jurisdiction that the fathers intended it to exercise over its own internal affairs.

"What a magnificent foundation we have in Texas upon which to build! How imperative the call upon our pride and patriotism for adequate superstructure! Our physical advantages are beyond computation, our resources are prodigious, our opportunities are not equaled by any State in the Union, our civilization will endure rigid comparison with that of the best people in the world, and our citizenship enjoys the respect of all observers. Let it be our supreme ambition to make of Texas all that its wonderful possibilities comprise, to the end that whatever conduces to the glory of our commonwealth shall 'find its home in our institutions and write our laws for the benefit of men.'

"Let us combine and covenant with each other as private citizens and public officials to come fully up 'to the mark of our high calling,' to utilize all the elements of our strength, to encourage wholesome policies and salutary legislation, making it our special concern that nothing shall go upon the statute books unworthy of our position, vicious in consequence or unjust to any of our fellowmen in any portion of the State. While seeking to stimulate worthy enterprise, to suitably foster industrial progress, to wisely induce the investment of capital and multiply the employment of honest labor, let us never ignore the time-honored pos-

tulates of Democratic faith, but be careful that no compromise shall be made and no concession permitted which shall stand in the pathway of the ancient and accepted doctrine of equal rights to all, or bestow special privileges upon any man or set of men injurious to the body of the people. There is more in life than lucre, more in government than greed, more in Democracy than depredation.

"Let us zealously work together in order that all the substantial objects of a useful administration may be attained, that public expectation shall not be disappointed, that the party to which we owe allegiance shall have occasion to rejoice at the excellence of our conduct, and the people to realize that in and through the execution of Democratic principles by Democratic agents are to be found their abiding welfare and safety.

"I would that it were possible to speak my full appreciation of the generous consideration shown me by this convention. All that I can say is to again express my sincere acknowledgment and redeclare the dedication of all the energy at my command and the subjection of every aspiration of my heart to the satisfactory performance of that which you have given me to do. That the work of your hands may be worthily established, through the instrumentality you have constituted, is the anxious and cordial desire of the grateful recipient of your good will and exalted compliment."

Immediately after Colonel Lanham concluded his remarks he was congratulated by Gov. Joseph D. Sayers, and walking over to Judge Reagan embraced him affectionately, the delegates cheering the trio vociferously.

The following State officials were, on motion of S. J. Hendrick, nominated by acclamation.

For Lieutenant Governor, George D. Neal, of Grimes county.

For Attorney-General, C. K. Bell, of Tarrant county.

For Comptroller, R. M. Love, of Limestone county.

For State Treasurer, John W. Robbins, of Wilbarger county.

For Commissioner of the General Land Office, J. J. Terrell, of Wise county.

For State Superintendent of Public Instruction, Arthur Lefevre, of Victoria county.

For Railroad Commissioner, O. B. Colquitt, of Kaufman county.

For Associate Justice of the Supreme Court, F. A. Williams, of Houston county.

For Chief Justice of the Court of Criminal Appeals, W. L. Davidson, of Williamson county.

Hon. James B. Wells, of Brownsville, and Hon J. E. Cockrell, of Dallas, were then placed in nomination for chairman of the State Democratic executive committee. R. L. Radney, of Waco, nominated Wells, and J. W. Blake, of Sherman, nominated Cockrell. Numerous seconding speeches were made, those of R. H. Ward, of San Antonio, for Wells and of Cone Johnson, of Tyler, for Cockrell, being the best. Wells was elected on the first ballot by a vote of 618 5-6. His nomination was

thereupon, on motion, made unanimous by a *viva voce* vote. In acknowledging the honor conferred, Judge Wells delivered a few well chosen remarks that were long and loudly applauded.

The convention then adjourned until 3 p. m., at which hour it was again called to order, and the following were announced as the State Democratic executive committee, one member for each senatorial district:

First, B. F. Sherrill, of Marion; Second, Jim Clark, of Red River; Third, Rosser Thomas, of Fannin; Fourth, J. A. L. Wolfe, of Grayson; Fifth, W. H. Clendenin, of Rains; Sixth, E. W. Hawley, of Dallas; Seventh, Hampson Gary, of Tyler; Eighth, E. B. Blalock, of Harrison; Ninth, A. B. Watkins, of Henderson; Tenth, D. W. Odell, of Johnson; Eleventh, Claude V. Burkhead, of McLennan; Twelfth, Walker Keeling, of Limestone; Thirteenth, F. H. Bayne, of Houston; Fourteenth, A. D. Hamilton, of Sabine; Fifteenth, B. H. Powell, Jr., of Walker; Sixteenth, Frank Andrews, of Harris; Seventeenth, W. T. Austin, of Galveston; Eighteenth, J. F. Wolters, of Fayette; Nineteenth, S. L. Staples, of Bastrop; Twentieth, J. E. Lucy, of Travis; Twenty-first, S. M. Nixon, of Caldwell; Twenty-second, J. W. Flournoy, of Bee; Twenty-third, A. Sanchez, of Webb; Twenty-fourth, P. J. Lewis, of Bexar; Twenty-fifth, J. G. Griner, of Val Verde; Twenty-sixth, Chester Harrison, of Brown; Twenty-seventh, P. S. Hale, of Bosque; Twenty-eighth, John L. Stephenson, of Taylor; Twenty-ninth, R. E. Huff, of Wichita; Thirtieth, Q. T. Moreland, of Tarrant; Thirty-first, F. F. Hill, of Denton.

The report of the committee on platform and resolutions was then submitted. The planks relating to uniform primaries and the remission of taxes in Galveston for fifteen years, when read, were greeted with applause.

Judge Ed. P. Gray, of Dallas, asked if the uniform primary plank included congressional and district officers, and was informed that it did and the plank was read to him. He desired to discuss the plank, but the chairman refused to permit it until the minority reports were read.

"One of the minority reports related to the labor plank, designating eight hours as the working day, signed by Walton Peteet, of Bexar, and E. P. Curtis, of Bell. The other protested against the employment of children under 12 years of age in factories using machinery [signed by Peteet, Curtis, T. M. Campbell, of Anderson, and Eugene Moore, of Erath]. The third minority report opposed the plank authorizing the formation of private banking corporations with loan and discount privileges [signed by J. B. Dibrell, of Guadalupe, and A. B. Davidson, of De Witt.]

"Walton Peteet strongly advocated his minority report on the child labor proposition, and stated that he wished the convention to replace the plank which was adopted at Waco two years ago.

"He also spoke of the minority report on the eight-hour plank, saying eight hours was enough for any man to work, and that when he was compelled to work longer he was unable to study the problems of the day and improve his mind.

"T. H. Ball, of Walker, moved that speeches on the platform be limited to ten minutes, and the motion prevailed.

"A. W. Terrell, of Travis, spoke for the minority report on the child labor plank. He said that he had been attending Democratic conventions for forty-five years, except during the time when he was out of this country. He stated that he had advocated just such planks in former days and that it was not a movement for organized labor, but for humanity. His time expired before he closed his remarks, but was extended to allow him to finish.

"George T. Jester, of Navarro, spoke for the majority report, saying that the committee was not opposed to the minority reports submitted, but preferred to pass that up to the Legislature for action. Regarding the proposed child labor plank, he said that idea was bad at this time, as Texas was encouraging factories and the few cotton factories here were the best ventilated of any in the country. He said that the committee report was almost unanimously adopted.

"E. P. Gray, of Dallas, favored the child labor plank, as the people demanded it. He moved the adoption of the minority report on the subject. T. H. Ball, of Walker, moved as a substitute that the minority report be substituted for the majority report regarding the child labor plank. He moved the previous question, and the minority report was adopted, for prohibiting the employment of children under 12 years of age in factories. The proposed eight-hour labor plank in the minority report was defeated by a *viva voce* vote.

"C. C. Harris, of Medina, offered the following amendment to section 9, which was adopted:

"We commend that feature of industrial education known as manual training, and recommend that the Twenty-eighth Legislature make provision for its introduction into the State normal schools and into such public free schools as it may deem expedient, and the Orphans' Home."

"J. J. Faulk, of Henderson, tacked on an amendment to the above including the State Orphans' Home.

"The third minority report opposing the formation of private banking corporations was taken up. J. W. Blake spoke for the majority report and moved to table the minority report. The motion prevailed."

The platform, as finally adopted, was as follows:

"1. The Democrats of Texas in convention assembled, declare their faith in the principles of the party as set forth in the Kansas City platform, and we believe that with Democratic success in 1904 the dangers of imperialism, centralization, trusts, monopolies, mergers, and other combines hurtful to our people, unjust taxation and kindred evils would no longer confront our country.

"2. We commend our Senators and Representatives in Congress for their efforts in behalf of tariff reform, of a canal connecting the waters of the Atlantic and Pacific oceans, the election of United States Senators by direct vote of the people, the securing of appropriations for the

improvement of our harbors and waterways, of an additional Federal judicial district for the southern district of our State, the enlargement of old and the building of new, commodious public buildings for Federal purposes, an appropriation of a fund for the investigation and extermination of the boll weevil, and we appreciate especially their endeavors in behalf of universal liberty, their antagonism of trusts and monopolies, and urge them to vigorously oppose every attempt to establish a branch banking system and the issuance of asset currency, which would build up a money trust of the widest and most pernicious character.

"3. Four years ago the Democracy of Texas promised to our people economical government wisely administered. How well this promise has been kept by Gov. Sayers and his associates is now a matter of history, and the splendid condition of each department and institution throughout Texas bears witness to their patriotism, ability, and devotion to duty. Taxes have been reduced, the terms of our public schools have been lengthened, and the work of the several departments has been broadened and the eleemosynary institutions enlarged so that the jails are emptied of the insane and room has been made in other institutions for the care of all those whom the State has made its charge. We are justly proud that while ours is the banner State, and that while our party has been for nearly half a century practically without opposition, yet no form of corruption has been fostered and no stigma cast upon the character and patriotism of any nominee made by our State organization.

"4. We favor proper legislation regarding the improvement of our country roads, and we demand that the Legislature pass laws under which a comprehensive system of public roads may be had at the smallest expense to the people.

"5. We favor the enactment of laws providing for the employment, as far as practicable, of short-time State convicts on the public roads in counties making suitable provisions therefor, and the employment of State penitentiary convict labor on work not in competition with free labor, as far as practicable, and that such prisoners be employed in the walls of the penitentiary and on farms operated by the State on its own account.

"6. We favor the continuance of our present policy regarding our eleemosynary institutions so that the State may continue to provide for all of the helpless wards of our State.

"7. We favor the substantial re-enactment by the next Legislature of the present uniform text book law, which will expire by its own terms in 1903, with such provisions as will prevent unnecessary changes in the text books now in the hands of the children attending the public schools.

"8. Recognizing public intelligence as the best safeguard of social order, and considering the present prosperity and increasing wealth of our State, we make special demand upon the Twenty-eighth Legislature to deal generously with all State educational institutions, the University,

the Agricultural and Mechanical College, the Girls' Industrial School, and the several normal schools, including the Prairie View Normal and Industrial School for colored youth, and generally to promote the cause of education in Texas to the end that its institutions of learning may rank with the best in the land. We commend the course of the last Legislature in making adequate appropriation from the general revenue for the maintenance and support of the University, thereby enabling the board of regents to utilize from its available funds the money required for the erection of necessary buildings and purchase of grounds.

"We declare it to be the fixed policy of the Democratic party to take our public schools and other institutions of learning out of politics, and we therefore reiterate the demand of the Democratic platform of 1900 for the submission of a constitutional amendment making the appointment of trustees of our schools, colleges and University for terms of two, four, six, and eight years.

"9. We request the Legislature to provide for the establishment of a textile school as a department of industrial education in the Agricultural and Mechanical College. We commend that feature of industrial education known as manual training and recommend that the Twenty-eighth Legislature make provision for its introduction into the State normal schools and into such public free schools as it may deem expedient, and the State Orphans' Home.

"10. We favor a broad and enlightened policy toward capital and corporations doing business within our State, and toward those desiring to enter our State for the purpose of developing its great natural resources; and for the protection of such, as well as for the protection of all our people without regard to condition, we declare our opposition to trusts, mergers and other combines for the restriction of trade, and demand that the next Legislature shall pass a law or amend our present laws so that it will be impossible for such corporations to do business in Texas.

"11. We favor the passage of a well considered riparian law in order that the rice and other great industries of our State may be fostered and the rights of our people along such canals and waterways may be properly safeguarded.

"12. We favor the submission of a constitutional amendment authorizing the charter of State banks of discount and deposit under restrictions and regulations for the protection of stockholders and depositors, similar to those governing national banks.

"13. We demand a law prohibiting the employment of children under 12 years of age in factories using machinery.

"14. We most heartily indorse and approve the purpose and labors of the Texas World's Fair Commission appointed by Gov. Sayers to provide for a proper and adequate display illustrative of the wonderful resources of Texas at the great Louisiana Purchase Exposition to be held in St. Louis in 1904. We believe that such an exhibit is demanded

by the exigencies of the State and will promote its progress and confer unmeasured benefits upon its people.

"15. We recommend that the Legislature shall pass such laws as in its judgment would prevent the evils of the issuance of free passes by railway companies.

"16. While we do not believe in life tenure of office, yet we recognize the value of training and experience, and consequently we declare that the dismissal of subordinates without cause, especially to make room for relatives or political adherents, is detrimental to the public service and contrary to sound public policy, and recommend legislation for the correction of such evils.

"17. We demand the passage of a law which will regulate our primaries for the nomination of national, State, and district officials so that such nominations shall be invalid if not held on the same day in every county in our State, and recommend all necessary amendments to our present laws that may be necessary to protect the fairness and purity of such primary elections or primary conventions, and proper punishment for illegal voting or corrupt practices.

"18. We unqualifiedly advocate and declare for uniform primaries to be held throughout the State for the nomination of State and district officers, the counties to hold same by primary elections, or primary conventions, as they prefer, provided they are held upon the same day.

"To secure this result we hereby instruct the State Democratic executive committee to call said primaries for the next general election upon the second Saturday in July, A. D. 1904, and in making the call for the State convention following said primaries the chairman of the State executive committee shall in his call state that the delegation from any county not holding their primary on said date will be denied participation in the organization of the State convention, and the State executive committee shall enforce this provision.

"19. We indorse and applaud the action of the last Legislature in remitting taxes due the State from the county of Galveston, and favor the further remission of said taxes for an additional period of fifteen years to the end that Texas may do her part in the upbuilding of its great seaport so that our agricultural, livestock, manufacturing, and other products may have an outlet to the sea which will save to them many millions of dollars annually; and therefore, that justice may be done a brave and patriotic people we instruct the Democratic members of the next Legislature to pass a law permitting the people of Galveston to use for filling and grading of the city of Galveston, so far as the same may go, all the State taxes of the county of Galveston for an additional period of fifteen years, except such portions of said taxes as may be otherwise appropriated by the Constitution.

"20. We believe that a platform pledge is a covenant with the people, and, therefore, we declare it to be the highest duty of every Democratic nominee to earnestly support and to urge the fulfillment of each promise set forth herein."

The following resolution was read to the convention:

"We deprecate the interference by any educational or industrial institution of the State in any conflict that may arise between capital and labor, and the filling of the places of striking employes by the students of such institutions is condemned."

"T. N. Jones, of Smith County, was recognized after the resolution was read and stated that as he understood it, the object of the resolution was to reflect on a few of the boys from the Agricultural and Mechanical College who went down to Palestine the other day and took the place of several strikers in the machine shops. He said it was not right for a Democratic convention to interfere with anyone for accepting a job. He moved to table, but the motion was withdrawn in order to give E. P. Curtis, of Bell, a hearing in favor of the resolution. He spoke earnestly for its adoption, saying that he had been a Democrat all of his life and expected the Democrats to give him a patient hearing. He stated that it was wrong for State institutions to interfere, as they did in the Palestine strike, as by such methods they manufactured 'scab' labor. He criticised acting President Whitlock for his actions in the premises.

"J. W. Blake, of the platform committee, stated that the resolution was before the committee last night and that only one side of the question was presented. In view of that fact he moved the adoption of the resolution and the motion prevailed.

"'Farmer' Shaw, of Dallas, introduced an additional plank to the platform, and after making a few remarks on the subject, the previous question was ordered and the convention refused to adopt it. It was as follows:

"While congratulating the people upon the prosperity of our country we insist that this prosperity affords ample proof of the correctness of the Democratic theory of finance as announced in the platforms of 1896 and 1900. The phenomenal world production of gold from 1896 to 1900 (over a billion and a quarter of dollars in value), coupled with the immense trade balances in our favor from exports, thus drawing gold from other countries of the world, only proves the correctness of the Democratic quantitative theory as to money; only proves that the greater the quantity of the metal basis of money, the better the money to the people. While the world production of gold, over \$10,000,000,000 in value, now gives us a cheap money, we insist that it would give us a yet better basis for the money of the people if the \$11,000,000,000 of silver were added to that basis.'

"The following resolution relating to irrigation was adopted. It was prepared by W. D. Cleveland, of Harris county:

"Whereas, The farming and other interests of the State of Texas have suffered to a great extent in past years from a lack of sufficient rainfall at the proper time; and,

"Whereas, The lakes, rivers and other streams of Texas are so distributed and located that the successful irrigation of the greater portion

of the agricultural sections of our State can easily be accomplished by storing the surplus water that falls and distributing same through a system of canals and laterals when necessitated by drouth, thereby returning untold benefits to the State at large; and,

"Whereas, The commercial, agricultural, and industrial interests of the State demand that some general system of irrigation be fostered and nurtured. Now, therefore, be it

"Resolved, That the Democratic party of the State of Texas, in convention assembled, indorse and proclaim as one of the planks of its platform, a system of irrigation throughout the State of Texas; and be it further

"Resolved, That the Twenty-eighth Legislature be requested to appoint an irrigation commission to investigate the feasibility and probable cost of a general irrigation system for the State.

"Resolved, That this convention appoint a committee of three to five citizens of this State, willing, and qualified, to investigate the matter, and prepare and outline some feasible plan of irrigation and present same to the Twenty-eighth Legislature of Texas and request that a law be passed providing for an effective system of State irrigation."

"A resolution of thanks to the citizens of Galveston for their kind and courteous treatment during the convention was adopted by a rising vote, and the convention adjourned sine die."

On the 17th Chairman Wells appointed Jeff McLemore, of Travis county, secretary, and Frank W. Kibbe, of Cameron county, and George D. Armistead, of Dallas county, assistant secretaries of the State Democratic executive committee.

STATE REPUBLICAN CONVENTION.

The State Republican convention met at Fort Worth at 10:30 a. m. September 9, 1902, and adjourned September 12. It was called to order by Cecil A. Lyon, chairman of the State executive committee. R. B. Hawley was temporary chairman and E. H. Green, permanent chairman.

George W. Burkitt, of Palestine, was nominated for Governor, and Eugene Nolte, of Seguin, for State Treasurer. These were the only State offices for which candidates were selected.

Cecil A. Lyon, of Grayson county, was made chairman, and R. L. Hoffman, of Bexar county, secretary of the State executive committee.

The most notable happening of the convention was harmonizing the differences in the party by an agreement between Green, Lyon, and Hawley, and welding the factions into a homogeneous mass—at least, to the eye. These three, after the tomahatchet was buried, stood on the rostrum with hand clasped in hand and announced the fact to the delegates. The notification stirred up great enthusiasm. One of the "trooly

"loil" started the hymn, "Old Time Religion," and all hands joined in and sung it several times with such effect that some of the colored brethren got to shouting.

A platform of principles was announced, resolutions adopted, and speeches made, whereupon the faithful adjourned, each man hurrying to his post—that is, to watch his particular string leading to the Washington pie counter.

STATE POPULIST CONVENTION.

The State Populist convention was held at Fort Worth, August 12 and 13, 1902. About one hundred delegates were present. According to the press reports, only eight of the sixteen congressional districts of the State were represented. State Chairman Milton Park, of Dallas county, called the convention to order. Mayor Powell delivered an address welcoming the delegates to the city.

The name of the party was changed to "Allied People's Party of Texas," a platform of principles enunciated, and the following State ticket nominated: For Governor, J. M. Mallett, of Cleburne; for Lieutenant Governor, D. H. L. Bonner, of Smith County; for Attorney-General, T. J. McMinn, of San Antonio; for Treasurer, Buck Barry, of Walnut Springs; for Comptroller, J. M. Purdue, of Upshur county; for Commissioner of the General Land Office, M. C. Granberry, of Austin; for Superintendent of Public Instruction, John Collier, of Callahan county; for Railroad Commissioner, E. P. Alsbury, of Houston. Milton Park, of Dallas, was elected chairman, J. D. Johnson, secretary, and W. P. Blake, of Clarendon, and O. F. Dornblazer, of Hillsboro, members-at-large of the State executive committee. Stump Ashby, of Tarrant county; T. S. Dearmond, of Hamilton county, and C. C. Beardon, of Wise county, were elected members of the national committee. Newt Gresham, of Rains county; A. M. Collick, of Hunt county, and J. W. Blake, of Scurry county, were elected delegates to the initiative and referendum convention held at Waco, August 25, 1902.

"Stump" Ashby, J. H. L. Bonner, Dornblazer, National Chairman Parker and others delivered speeches designed to fire the popular heart. Mallett opened his campaign by a speech at Denison, September 9.

VOTES CAST AT THE GENERAL ELECTION HELD NOVEMBER 4, 1902.

Governor—S. W. T. Lanham (Dem.), 219,076; Geo. W. Burkitt (Rep.), 65,706; J. M. Mallett (Pop.), 12,387; G. W. Carroll (Pro.), 8708; scattering, 3273.

Lieutenant Governor—Geo. D. Neal (Dem.), 285,651; D. H. L. Bonner (Pop.), 14,752; A. E. Everts (Pro.), 7463; scattering, 4041.

Attorney-General—C. K. Bell, 296,429; T. J. McMinn, 15,279; W. P. McBride, 3615; C. A. Boynton, 138.

Railroad Commissioner—O. B. Colquitt, 292,945; E. P. Alsbury, 4587; E. G. Cloar, 4231; Joe E. Williams, 138.

Comptroller—R. M. Love, 295,500; J. M. Pardue, 12,329; R. O. Longworthy, 3513; Collin Campbell, 1.

Associate Justice of the Supreme Court—F. A. Williams, 290,668.

State Treasurer—John W. Robbins, 275,267; Eugene Nolte, 64,415; Buck Barry, 13,461; M. T. Bruce, 3278.

Commissioner of the General Land Office—J. J. Terrell, 288,677; M. C. Granberry, 15,654; J. W. Kuykendall, 4592; G. A. McGregor, 17.

State Superintendent of Public Instruction—Arthur Lefevre, 294,573; John Collier, 16,583; J. E. Gibson, 3641.

Judge of the Court of Criminal Appeals—W. L. Davidson, 300,651; John James, 4.

Chief Justice Court of Civil Appeals, First District—C. C. Garrett, 76,992; W. M. Key,¹ 24; Sam Streetman, 21.

Associate Justice Court of Civil Appeals, Second District—Ocie Speer, 59,950; Sam Hunter, 4. [Hunter was not a candidate for election. He was defeated for the Democratic nomination by Speer.]

Associate Justice Court of Civil Appeals, Third District—W. M. Key,² 51,073; Sam Streetman, 51,759.

Associate Justice Court of Civil Appeals, Fourth District—W. S. Fly, 35,651.

¹ The sessions of the Court of Civil Appeals for the First district are held at Galveston, for the Second district at Fort Worth, for the Third district at Austin, for the Fourth district at San Antonio, and for the Fifth district at Dallas.

Judge Key was first appointed Associate Justice of the Court of Civil Appeals for the Third district September 1, 1901, and was elected to the position November 8, 1892. On the judges' drawing for terms, he drew four years. November 3, 1896, he was elected for a full term of six years. By reference to the figures given below for the Third district, it will be seen that he was elected November 4, 1902, for another full term of six years. Neither he nor Judge Streetman were candidates in the First district. The votes cast for them in that district, and some other candidates in other districts, were perhaps cast by persons who did not know what districts their counties were located in.

² Key was re-elected for a term of six years. Streetman was appointed April 26, 1902 (qualified April 28, 1902), to succeed Judge W. E. Collard, deceased. November 4, 1902, he was elected to fill out Collard's term, which would have expired in 1904.

Associate Justice Court of Civil Appeals, Fifth District—Howard Templeton, 59,623; Anson Rainey, 3838; John Bookhout 2241.*

United States Congressman, First District—Morris Sheppard, 19,214; Juhn Hurley, 3875; P. A. Turner, 2.

United States Congressman, Second District—S. B. Cooper, 17,175; Warren McDaniel, 2632; B. A. Calhoun, 1.

United States Congressman, Third District—J. Gordon Russell, 16,628; L. L. Rhodes, 561; J. W. Yates, 281; O. F. Dornblazer, 28; Wm. M. McDonald, 1.

United States Congressman, Fourth District—C. B. Randall, 17,464; C. A. Gray, 3063; O. F. Dornblazer, 2; E. W. Kirkpatrick, 1.

United States Congressman, Fourth District—Special election held November 15, 1802⁴: M. Sheppard, 8972; Frank Lee, 1426; A. D. Latimer, 17.

United States Congressman, Fifth District—Jack Beall, 19,373; S. H. Lumpkin, 1633; O. F. Dornblazer, 358; M. C. Scott, 151.

United States Congressman, Sixth District—Scott Field, 17,262.

United States Congressman, Seventh District—A. W. Gregg, 13,162; O. F. Dornblazer, 3.

United States Congressman, Eighth District—Thos. H. Ball, 14,301; Lock McDaniel, 6431; Sam Bougio, 35; M. H. Kimpton, 367.

United States Congressman, Ninth District—Geo. F. Burgess, 18,316; B. R. Burow, 11,574; G. L. Brown, 1.

United States Congressman, Tenth District—A. S. Burleson, 20,539; Chas. Shenken, 2990; W. M. Norris, 20.

United States Congressman, Eleventh District—R. L. Henry, 14,548; G. B. Harris, 149; G. A. Boynton, 41; Walter Cocke, 9; A. Wurts, 690.

United States Congressman, Twelfth District—O. W. Gillispie, 16,220; S. A. Greenwell, 3424.

United States Congressman, Thirteenth District—Jno A. Stephens, 24,027; R. O. Rector, 2034; Jos. Schmitt, 123; Bob Bell, 1.

United States Congressman, Fourteenth District—Jas. L. Slayden,

* The term of Judge Anson Rainey as Chief Justice of this court, does not expire until November, 1904. The term of Judge Bookhout, as Associate Justice, does not expire until November, 1906. Consequently, they were not candidates for re-election as "Associate Justice." The only candidate was Judge Howard Templeton, whose term expired in November, 1902. He was re-elected for a term of six years. The terms of these judges will now expire as follows: Rainey's in 1904, Bookhout's in 1906, and Templeton's in 1908. The votes cast for Rainey and Bookhout at the November 4, 1902, election were deposited by persons ignorant of these facts.

⁴ The special elections held in the old Fourth and Fourteenth districts (now no longer existing) were to fill out the unexpired terms for which Hons. John L. Sheppard and R. C. De Graffenreid, both deceased, were elected, viz., for the Fifty-seventh congress.

An act of the Twenty-seventh Legislature, approved September 6, 1901, divided the State into sixteen congressional districts, in accordance with the returns of the Twelfth census, three more than under the Eleventh census. The congressmen elected November 4, 1902, were elected for the new districts. Their terms will begin with the regular session of the Fifty-eighth congress in December, 1903.

19,898; D. H. Meek, 4915; A. V. Surber, 344; Frank Leitner, 170; N. H. Meek, 38.

United States Congressman, Fourteenth District—Special election: J. Gordon Russell, 13,710.

United States Congressman, Fifteenth District—John N. Garner, 16,542; Jno. C. Scott, 10,707; D. C. Crider, 51.

United States Congressman, Sixteenth District—W. R. Smith, 22,118; D. G. Hunt, 291; D. H. Meek, 87; scattering, 13.

Votes cast for amendment to section 2, article 6 of the State Constitution, 200,650; against the amendment, 107,748. This amendment makes the payment of poll-tax a prerequisite to voting at any election in the State.

HIS EXCELLENCY SAM W. T. LANHAM.

No State in the Union has contributed more in the way of service of great men to the upbuilding of Texas than South Carolina. In the days of the Republic and later, when friends were needed, John C. Calhoun and Gov. James Hamilton were the special benefactors of Texas.

Among the names of the sons of South Carolina resplendent in the annals of the State are those of Rusk, Hemphill, Lipscomb, Wigfall, Bee, Ford, Stewart, Lubbock, Murrah, Roberts and finally our present Governor, Lanham. A brilliant galaxy, indeed, of jurists, statesmen and citizen soldiers!

Samuel W. T. Lanham was born in Spartanburg district in South Carolina, on July 4, 1846. His parents were James M. and Louisa D. (nee Tucker) Lanham.

The terrible civil war burst upon the country before Sam had completed even a common school education. As a typical South Carolina youth he hastened to join the army in defense of State rights, and while only in his seventeenth year marched to the front in the Third Regiment of South Carolina infantry. Young Lanham participated in the subsequent campaigns of the army of Northern Virginia, and came out of the war unscathed. Having been paroled at Greensboro, N. C., he returned home in 1865 and resumed his studies. The next year, Mr. Lanham then barely 20 years old, married Miss Sarah Beona Meng. The young couple moved at once to Texas. He taught school in Red River and Bowie counties about two years, and in 1868 settled in Parker county, at Weatherford, then a small frontier town. Here he also taught school for about a year and studied law at night.

Mr. Lanham was admitted to the bar in 1869 and immediately began the practice of law, which he continued without interruption till his election to Congress. Besides his thorough professional knowledge and training, Mr. Lanham had also by industrious application acquired a



GOV. S. W. T. LANHAM.



fine classical education, which has served him a good purpose ever since in his law practice and public addresses. He was presidential elector on the Hancock and English ticket in 1880.

Colonel Lanham's political career fairly opened in 1882, when he was elected to the Forty-eighth Congress from his district, composed of the counties of Andrews, Armstrong, Bailey, Borden, Briscoe, Brown, Callahan, Carson, Castro, Childress, Cochran, Collingsworth, Comanche, Coryell, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, El Paso, Erath, Fisher, Floyd, Gaines, Garza, Gray, Greer, Hale, Hall, Hamilton, Hansford, Hardeman, Hartley, Haskell, Hempill, Hockley, Hood, Howard, Hutchinson, Jack, Jones, Kent, King, Knox, Lamb, Lipscomb, Lubbock, Lynn, Martin, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Pecos, Potter, Presidio, Randall, Reeves, Roberts, Scurry, Shackelford, Sherman, Somervell, Stephens, Stonewall, Swisher, Taylor, Terry, Tom Green, Throckmorton, Wheeler, Yoakum, and Young.

Subsequently and without serious opposition he was elected to the Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses without a break. At the expiration of the term for which he was last elected, Colonel Lanham voluntarily retired from Congress. Judge C. K. Bell, the present Attorney-General, succeeded him in the Fifty-third and Fifty-fourth Congresses, embracing in his service the whole period of President Cleveland's second administration. Mr. Bell declining to become a candidate in 1896, Colonel Lanham again entered the political field and was easily elected to the Fifty-fifth Congress, taking his seat in 1897. His district under the last preceding apportionment was called the Eighth, and consisted of the counties of Brown, Coleman, Coryell, Comanche, Erath, Hamilton, Hood, Lampasas, Mills, Parker, Runnels, Somervell, and Tarrant (thirteen counties). His constituents also chose him as their representative in the Fifty-sixth and Fifty-seventh Congresses. The following document marked the termination of Colonel Lanham's Congressional career:

"WASHINGTON, D. C., Jan. 8, 1903.

"To the Hon. David B. Henderson, Speaker of the House of Representatives, Washington, D. C.:

"My Dear Sir.—I have this day tendered my resignation as a Representative in Congress from the Eighth Congressional district of Texas, to the Hon. Joseph D. Sayers, Governor of the State of Texas, to take effect on the 15th inst.

"I have the honor to be, very respectfully, your obedient servant,

"S. W. T. LANHAM,

"Member of Congress, Eighth District, Texas."

Before leaving Washington, Colonel Lanham also resigned from the directory of the Columbian Institute for the Deaf and Dumb. This action was preparatory to his inauguration as Governor of Texas, to which posi-

tion he had been called at the preceding general election. (Notice of the inauguration of the Governor and his official acts may be found elsewhere in this volume.)

The Lanham family consists of father and mother with five children: Howard Meng, Edwin Moultrie, Fritz Garland, Miss Grace, and Frank Valentine. [C. W. R.]

GEORGE DOUGLAS NEAL.
LIEUTENANT GOVERNOR OF TEXAS.

Geo. D. Neal was born at Amelia Court House, Va., October 5, 1853. His father, Dr. Thos. W. Neal, was born in North Carolina and reared near Richmond, Va. His mother, nee Miss Elizabeth Haskins, was born and grew to womanhood in Chesterfield county, Virginia. His parents married in Chesterfield county, Virginia, April 7, 1846. They moved to Texas in February, 1866, and located in the town of Washington, where his mother died in March, 1873, and his father died in August, 1884.

Lieut. Gov. Neal lived at Washington until 1877 and at Bellville until October 3, 1880, and has since resided at Navasota. He attended school in Washington county and was a student at Baylor University one session. While not a graduate, he has a good English education, is widely read, and experience and observation at the bar, in public life, and mingling with the world have furnished what remained to develop his markedly able and energetic mind. He was admitted to the bar at a session of the district court held by Judge L. W. Moore at Bellville, Texas, in July, 1878, and has since January, 1881, been actively engaged in the pursuit of his profession at Navasota. He was associated in practice with former Attorney-General H. H. Boone and that gentleman's son, Gen. Gordon Boone, under the firm name of Boone, Neal & Boone, until the death of Gen. H. H. Boone in May, 1897, since which time he has been a partner of Gen. Gordon Boone, under the firm name of Neal & Boone.

He was elected county judge of Grimes county in 1884 and served one term; was later elected city attorney of Navasota and filled the office six years; resigned it to accept the Democratic nomination for State Senator from the Fifteenth district (Grimes, Leon, Walker, Madison, Montgomery, San Jacinto, and Polk counties), vice Hon. W. P. McComb, deceased; was elected Mr. McComb's successor in 1896; was re-elected in November, 1898; served through the sessions of the Twenty-fifth, Twenty-sixth, and Twenty-seventh Legislatures; was chosen president pro tempore of the Senate, April 8, 1901, the last day of the regular session of the Twenty-seventh Legislature, and served as such through the first called session of that body; and was elected Lieutenant Governor



LIEUT. GOV. GEO. D. NEAL.



of Texas November 4, 1902. [See articles entitled "Inauguration of Gov. S. W. T. Lanham and Lieut. Gov. George D. Neal," "Twenty-eighth Legislature," "Votes Cast at the General Election Held November 4, 1902," and "Visit of United States Warships and Other Events Incident to the Dedication of the Galveston Seawall," elsewhere in this volume.]

He married Miss Fannie C. Brooks at Washington, Texas, October 7, 1880. Her parents, W. and Mrs. Susan Brooks, moved from North Carolina to Texas and are both now deceased, her mother dying at Washington, October 6, 1880, and her father at Navasota a few years later. Lieut. Gov. and Mrs. Neal have two children, Misses Maud Douglas Neal and Georgie Etta Neal, both young ladies.

The family are members of the Presbyterian Church. Lieut. Gov. Neal is also a member of the Masonic, Knights of Pythias, and Macabees fraternities. He has been a delegate to every State Democratic convention held in Texas in the past fifteen or twenty years, and during that period his bright blade has flashed at the front in every battle fought in this State by the party.

INAUGURATION OF GOVERNOR S. W. T. LANHAM AND LIEUTENANT GOVERNOR GEO. D. NEAL.

In the House of the Twenty-eighth Legislature January 15, 1903, the following resolution (H. C. R. No. 2), offered by Mr. Robertson, of Williamson, was adopted:

"Be it resolved by the House of Representatives of the Twenty-eighth Legislature, the Senate concurring, that a committee of three members of the House be appointed by the speaker to act on the part of the House with a like committee on the part of the Senate, to arrange for counting the votes for Governor and Lieutenant Governor, and for the inauguration of said officers."

On the following day, on motion of Mr. Seabury, the resolution was reconsidered and amended by adding the following:

"Amend by adding the following: 'Resolved, further, That the State Treasurer and the Comptroller, respectively, be requested to lend the services of R. C. Lomax and T. C. Thompson, clerks in their respective departments, as expert accountants to aid in the tabulating and estimating the returns of such votes.'

The resolution as amended was adopted by the Senate, January 16, and the president of that body appointed the following committee: Senators Grinnan, Decker, and Harbison. The committee retired and later made the following report:

"Hon. James N. Browning, President of the Senate, and Hon. Pat M. Neff, Speaker of the House of Representatives:

"Sirs.—Your joint committee appointed to make arrangements to count the vote and to arrange for the inauguration of the Governor and Lieutenant Governor beg leave to recommend that the House and Senate meet in joint session in the hall of the House of Representatives, on Friday, the 16th day of January, A. D. 1903, at 11:30 o'clock a. m., for the purpose of counting said votes, and that the House and Senate will sit in joint session in the hall of the House of Representatives on Tuesday, the 20th day of January, 1903, at 12 o'clock noon, at which time the joint committee will escort the Governor and Lieutenant Governor-elect to the speaker's stand when the oath of office will be administered to them by the Chief Justice of the Supreme Court. On the part of the House: Robertson, Schluter, Connolly. On the part of the Senate: Grinnan, Harbison, Decker."

"At 11:30 a. m." says the House journal, "the Honorable Senate of Texas was announced at the bar of the House, and, escorted by Sergeant-at-Arms of the Senate, C. H. Allen, and Secretary of the Senate Clyde D. Smith, the Senators advanced into the hall and, by direction of the speaker, occupied seats along the aisle already prepared for them.

"President of the Senate Hon. Jas. N. Browning was then invited to a seat on the rostrum on the right of Mr. Shannon, who was in the chair, and who called the joint session to order.

"Lieut. Gov. Browning then directed the secretary of the Senate to call the roll of the Senate.

"The roll of the Senate was called and * * * the president announced a quorum.

"* * * The roll of the House was called and * * * the speaker announced a quorum."

The chair then stated that the two houses had met in joint session for the purpose of counting the vote for Governor and Lieutenant Governor at the general election held November 4, 1902, and announced the following tellers upon the part of the House: Messrs. Bridgers, Love and Barrett. The president announced the following upon the part of the Senate: Senators Paulus, Wilson and Mills. The tellers were then requested to come forward, were handed the returns as received from the Secretary of State and entered upon the count, assisted by Messrs. Lomax and Thompson.

On motion of Senator Davidson, put to the Senate, and of Mr. Hendrick, to the House, those bodies adjourned to reassemble in joint session at 2 p. m.

At that hour Mr. Shannon, the Senators having been announced at the bar and filed into the hall and taken their seats, called the session to order, and the count was resumed. While it was in progress Senator Morris, on the part of the Senate, was called to the chair. When concluded, the committee reported as follows:

"To Hon. J. N. Browning, President of the Senate, and Hon. Pat M. Neff, Speaker of the House:

"We, your committee appointed by the Senate and the House to can-

vass the votes cast for Governor and Lieutenant Governor of this State at the last regular election held in this State, beg leave to report that the following is the result of our canvass:

"There were cast for the office of Governor—For S. W. T. Lanham, 219,076 votes; for Geo. W. Burkitt, 65,706; for J. M. Mallett, 12,387; for G. W. Carroll, 8708; scattering, 3273. Total votes cast for the office of Governor, 359,150.

"There were cast for the office of Lieutenant Governor—For Geo. D. Neal, 285,651; for D. H. L. Bonner, 14,752; for A. E. Everts, 7463; scattering, 4041. Total votes cast for Lieutenant Governor, 311,907. Paulus, Wilson, Mills, committee on part of Senate; Bridgers, Love, Barrett, on part of House."

"Whereupon Hon. Pat M. Neff, Speaker of the House, declared the result as follows:

"S. W. T. Lanham having received the highest number of votes cast, I, by the authority vested in me by the constitution and laws of the State of Texas, declare him legally and constitutionally elected Governor of the State of Texas for the ensuing term of two years.

"Geo. D. Neal having received the highest number of votes cast, I by the authority vested in me by the Constitution and laws of the State of Texas, declare him legally and constitutionally elected Lieutenant-Governor of the State of Texas for the ensuing term of two years."

He then stated that the business of the joint session was concluded and delivered the election returns used in counting the vote into the hands of Chief Clerk Bob Barker, directing him to deliver them to the Secretary of State.

On motion of Senator Decker, the Senate retired to its chamber.

The vote, by counties, for Governor Lanham was as follows:

Anderson, 1944; Angelina, 1255; Aransas, 274; Archer, 418; Armstrong, 260; Atascosa, 1022; Austin, 1859; Bandera, 696; Bastrop, 2101; Baylor, 515; Bee, 866; Bell, 3984; Bexar, 5455; Blanco, 656; Borden, 246; Bosque, 1577; Bowie, 3058; Brazoria, 824; Brazos, 1922; Brewster, 285; Briscoe, 261; Brown, 1450; Burleson, 1856; Burnet, 1661; Caldwell, 1844; Calhoun, 174; Callahan, 771; Cameron, 1715; Camp, 873; Carson, 142; Cass, 1449; Castro, 197; Chambers, 303; Cherokee, 1759; Childress, 542; Clay, 1074; Coke, 477; Coleman, 948; Collin, 3386; Collingsworth, 269; Colorado, 1263; Comal, 849; Comanche, 2017; Concho, 274; Cooke, 2071; Coryell, 1903; Cottle, 184; Crockett, 251; Crosby, 186; Dallam, 222; Dallas, 5355; Deaf Smith, 356; Delta 1637; Denton, 2196; DeWitt, 1422; Dickens, 219; Dimmit, 217; Donley, 357; Duval, 727; Eastland, 2275; Ector, 115; Edwards, 371; Ellis, 4832; El Paso, 2702; Erath, 2560; Falls, 2608; Fannin, 4928; Fayette, 3551; Fisher, 484; Floyd, 355; Foard, 300; Fort Bend, 728; Franklin, 859; Freestone, 1468; Frio, 529; Galveston, 4324; Gillespie, 598; Glasscock, 95; Goliad, 759; Gonzales, 2704; Gray, 119; Grayson, 4358; Gregg, 906; Grimes, 1067; Guadalupe, 1722; Hale, 350; Hall, 356; Hamilton, 1475; Hansford, 78; Hardeman, 626; Har-

din, 596; Harris, 5193; Harrison, 2834; Hartley, 225; Haskell, 752; Hays, 1507; Hemphill, 168; Henderson, 1793; Hidalgo, 950; Hill, 3541; Hood, 705; Houston, 1799; Howard, 558; Hunt, 3669; Hutchinson, 130; Irion, 182; Jack, 912; Jackson, 534; Jasper, 381; Jeff Davis, 139; Jefferson, 2041; Johnson, 2144; Jones, 942; Karnes, 1122; Kaufman, 3666; Kendall, 322; Kent, 192; Kerr, 652; Kimble, 479; King, 122; Kinney, 278; Knox, 597; Lamar, 3251; Lampasas, 869; La Salle, 404; Lavaca, 2377; Lee, 1326; Leon, 1117; Liberty, 780; Limestone, 2357; Lipscomb, 143; Live Oak, 404; Llano, 990; Lubbock, 298; Madison, 1052; Marion, 315; Martin, 164; Mason, 667; Matagorda, 515; Maverick, 436; McCulloch, 762; McLennan, 4138; McMullen, 136; Medina, 739; Menard, 419; Midland, 347; Milam, 2834; Mills, 647; Mitchell, 501; Montague, 1965; Montgomery, 1367; Moore, 122; Morris, 1004; Motley, 259; Nacogdoches, 1813; Navarro, 3619; Newton, 684; Nolan, 600; Nueces, 1225; Ochiltree, 120; Oldham, 75; Orange, 846; Palo Pinto, 1528; Parker, 2342; Pecos, 348; Polk, 744; Potter, 475; Presidio, 453; Rains, 676; Randall, 276; Red River, 2492; Reeves, 314; Refugio, 219; Roberts, 142; Robertson, 3173; Rockwall, 757; Runnels, 677; Rusk, 1760; San Augustine, 1026; San Jacinto, 714; San Patricio, 477; San Saba, 1070; Schleicher, 187; Scurry, 484; Shackelford, 204; Shelby, 1170; Sherman, 144; Smith, 2154; Somervell, 402; Starr, 1190; Stephens, 540; Sterling, 173; Stonewall, 410; Sutton, 214; Swisher, 222; Tarrant, 5102; Taylor, 1005; Throckmorton, 220; Titus, 934; Tom Green, 725; Travis, 3819; Trinity, 1128; Tyler, 876; Upshur, 1062; Uvalde, 657; Val Verde, 770; Van Zandt, 2687; Victoria, 1243; Walker, 1065; Waller, 739; Ward, 313; Washington, 2973; Webb, 2212; Wharton, 463; Wheeler, 168; Wichita, 781; Wilbarger, 822; Williamson, 3217; Wilson, 2273; Wise, 2492; Wood, 1803; Young, 970; Zapata, 159; Zavala, 153.

House Journal, January 20:

"At 11:45 a. m., the Honorable Senate of Texas was announced at the bar of the House, and accompanied by Sergeant-at-Arms C. H. Allen, Secretary Clyde D. Smith, and Assistant Journal Clerk Amos Wynne, the Senators advanced into the hall and occupied seats along the aisle already prepared for them.

"Hon. A. B. Davidson, of DeWitt county, President Pro Tem. of the Senate was invited to a seat on the rostrum on the right of the Speaker."

The rolls of the Senate and House were called and a quorum declared present.

"The Clerk then, by direction of the Speaker, read from the House Journal of January 16 the report of the joint committee to arrange for the inaugural ceremonies of the Governor and Lieutenant-Governor, said report fixing 12 o'clock meridian today for the inauguration of said officers.

"At this juncture the Joint Committee on Inaugural Ceremonies appeared at the bar of the House at 12 o'clock m., and were duly announced.

"Accompanied by Governor-elect S. W. T. Lanham, Governor Joseph

D. Sayers, Lieutenant-Governor-elect Geo. D. Neal, Lieutenant-Governor Jas. N. Browning, Chief Justice R. R. Gaines, Associate Justice F. A. Williams, Associate Justice T. J. Brown, Judge John H. Reagan, Railroad Commissioners Allison Mayfield and O. B. Colquitt, the Joint Committee advanced into the Hall and were conducted to the Speaker's stand by the Sergeant-at-Arms of the House, where those accompanying them took seats on the rostrum to the rear of the Speaker's stand.

"Speaker Neff then announced that the two houses were in joint session for the purpose of inaugurating the Governor and Lieutenant-Governor-elect.

Rev. Z. V. Lyles, of Williamson county, was invited by the Speaker to lead the assemblage in prayer, invoking the blessings of Almighty God upon the occasion.

"The Speaker then announced that the oath of office would be administered to the Governor and Lieutenant-Governor-elect by Associate Justice of the Supreme Court F. A. Williams.

"Speaker Neff then directed Associate Justice of the Supreme Court F. A. Williams to administer the oath of office to Governor-elect S. W. T. Lanham, which was done, Associate Justice Williams holding the Holy Bible in his right hand, the Governor-elect touching the same with his and holding his right hand erect.

"Governor S. W. T. Lanham then affixed his signature to the official oath, Clerk Fred Connerly of the Supreme Court attesting same with the great seal of the Commonwealth of Texas.

"Ex-Governor Sayers then presented Governor Lanham to the two houses in joint session and the assemblage, saying:

"It is with profound gratification to all that the record, personal and public, of the man who has been called to the Chief Magistracy of this great Commonwealth is such as to make certain that his administration will be wise, honest and efficient. In presenting him, my countrymen and countrywomen, I pray that Heaven's richest benedictions may continually fall upon the State during his term of office; that there may not be storm or drouth or pestilence; that entire peace may everywhere prevail; and that prosperity and happiness may abundantly abide in every home within our borders.

"Ladies and gentlemen—The Governor.'

"After ex-Governor Sayers had concluded, Governor Lanham spoke as follows:

"Gentlemen of the Legislature and Fellow Citizens:

"The oath just administered is a solemn and comprehensive one. It has been unreservedly taken and with a 'conscience void of offense,' as well as with an acute sense of the obligations it imposes. So far as it relates to the future, it shall be faithfully observed; so far as it refers to the past, it gratifies him who has taken it to declare that neither in letter nor in spirit has there been the least departure in thought or

conduct from any fact or purpose its terms embrace and imply. Self-respect and good conscience demand of any officer chosen by the people of our great State, a scrupulous regard for everything involved in the oath prescribed by our Constitution. He who can not accordingly qualify should never aspire to nor be permitted to hold a public trust.

"I can not better describe the feelings that now possess me, than to adopt the words and breathe the spirit of the greatest political philosopher and wisest exponent of the principles of popular government the world has ever known. But little more than a hundred years ago, when the entire population of the United States was less than twice that now contained in Texas—when the Federal government was perhaps not greater in wealth and resources than is that of our State today, Thomas Jefferson made his first inaugural address. In that splendid deliverance, which will live on and live forever, his opening words were: 'Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow citizens which is here assembled, to express my grateful thanks for the favor with which they have been pleased to look toward me, to declare a sincere consciousness that the task is above my talents, and I approach it with those anxious and awful presentiments which the greatness of the charge and the weakness of my powers so justly inspire.' You have called upon me, my countrymen, 'to undertake the duties of the first executive office,' not of our whole country, but of the mighty commonwealth of Texas, and I enter upon their performance with the gravest solicitude. Mr. Jefferson further said: 'I humble myself before the magnitude of the undertaking. Utterly, indeed, should I despair, did not the presence of many I here see remind me that I shall find resources of wisdom, of virtue, and of zeal on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look for encouragement, for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked.' So declare I unto you.

"In formulating 'the essential principles of our government,' he announced certain enduring doctrines which are as apposite today as they were in the morning of the nineteenth century, and some of which are incorporated in our own organic law and are now and ever will be entirely applicable to the State administrations within our Union. There can be nothing more cardinal and abiding in sound civic policy and indispensable to popular institutions than 'equal and exact justice to all men; a jealous care of the right of election by the people; the support of the State governments in all their rights, as the most competent administrators of our domestic concerns and the surest bulwarks against anti-republican tendencies; economy in the public expense, that labor may be lightly burdened; encouragement of agriculture and commerce its handmaid; the diffusion of information and arraignment of all abuses at the bar of public reason; the freedom of religion, freedom of the press,

and freedom of the person.' These principles, indeed, should be 'the creed of our political faith,' and 'the text of civic instruction,' and to their maintenance, with all the fidelity and energy at his command, your chosen servant, in this mighty presence, commits and consecrates himself, imploring as did he who originally proclaimed them, the aid and blessing of the Infinite Power.

"To attain equal and exact justice to all men,' the law must permit equal opportunity to all men, and grant 'exclusive privileges to none.' The same avenues must be open to all. 'Monopoly,' says our Constitution, 'is contrary to the genius of a free government.' Competition is inseparable from free and healthy commerce. There is and must be something abnormal, pernicious, and detrimental to the public, if it shall come to pass that only one man or combination of men shall buy or sell and fix the prices of the products of industry and the necessities of human life and comfort. There is and must be something wrong if only one traffic center can be found for the sale and purchase of those commodities which enter into the daily use of all the people, or if commerce in articles required by all can only flow through one particular channel or be governed by and through one special instrumentality, with unlimited power to determine arbitrarily the buying and selling price. No one man can, no set of men in a corporate capacity should ever be allowed to either monopolize the commerce of Texas, control its sources of supply or the agencies through which it is conducted. Wherever avaricious compassing in the individual can be legally repressed, rapacity in the corporation can be restrained, for the law creates and the law can regulate the corporation.

"We shall fail in our obligation to support the constitution, our duty to the people, obedience to the platform of the party to which we owe allegiance, and devotion to the commissions we bear, if we do not write into law, valid, operative, and constitutional statutes against monopoly.

"Let no honest investor hesitate to bring and employ his capital in our midst—let every such comer be cordially welcomed and duly protected—let no useful enterprise be intimidated—let industrial and legitimate development of all kinds be invited, encouraged and conserved—let prosperity along all rightful lines be hailed, stimulated and advanced, but let the world know that there is more in this State than spoliation.

"The substructure of all good government is the purity and freedom of the ballot. The highest expression of our sovereignty as a people, is to participate in the exercise of political authority at the polls. That ambition is abominable that would seek official preferment by the direct or indirect purchase of votes, and that man claiming to be a citizen of Texas, is unworthy of the name and deserves the scorn of all decent men, who would sell his vote for a price. To elevate the standard of political virtue, to enlarge and dignify the estimate of honest and independent suffrage, to quicken the public mind concerning the duty and responsibility of employing in right spirit and with clean motive, whether at the primaries or at the polls, this greatest of all the

attributes of true citizenship, is a charge upon all good and patriotic men. To facilitate and promote by appropriate legislation this high consummation, devolves upon the lawgiver, who loves his country and desires its loftiest attainment.

"It is a great thing to be a factor in the selection of the State's agents, the determination of popular issues and the inauguration and establishment of governmental policies; it is a great thing to be a citizen of Texas, with all the duties and privileges and community of interests that attach. Our people have but recently, with great emphasis, declared their opinion and purpose in this connection. We all owe something to each other, to social order, to the purification of political methods, to public morality, to the enforcement of law, to the government of which we are each a part, and the conservation, in their best vigor, of the great principles which distinguish our institutions.

"It is our duty to 'support our State government.' Each and every citizen should 'render unto the State the things that are the State's.' Our constitution now demands, as a prerequisite to suffrage, some contribution to the public treasury for the public good. However small that contribution may be, he who honestly and with patriotic object makes it, can look his fellow citizen, no matter what his possessions may be, in the face without shame, and assert with pride his equal right to choose officials and record his electoral judgment on public questions. It must not be forgotten that 'of him to whom much is given, much shall be required.' No citizen should desire nor be permitted to withhold from the State his just and proportionate part of the revenue required for the support of the State. According to the value of his property, the extent of the protection he enjoys, and in full contemplation of the law, should his rendition and assessment be made. This is but a reasonable duty which he owes to himself as well as to his State and his fellow men. It will be but a travesty upon the equity of our system of taxation, if we take the mite from the one and let the burden rest alone upon visible possessions and otherwise permit evasions and avoidance.

"There is no good reason why the rate of taxation should not be decreased and still leave ample means available for all the necessities of the public service if each and every taxpayer and assessor shall do his full duty. If, added to this, we shall maintain a strict observance of 'economy in the public expense,' we shall not only see 'labor lightly burdened,' but reach the enjoyment of other attendant blessings. We should not hesitate to make reasonable appropriations for great public uses, but let it be impressed upon all the officiary of the State, that no waste, nor making individual commerce in the funds of the State to the least extent, shall ever be tolerated.

"In agriculture are to be found the storehouse and granary from which the world is fed. To whatever extent it can be suitably encouraged, we should be willing to go, for without its prosperity all other interests are inevitably depressed and impaired. It is something incongruous and illogical if the recompense of the farmer's toil can be fixed

by artificial contrivance, before the seeds sprout in the ground, and something is wrong if there be no competition in the markets for the fruits of his labor. I but strengthen these suggestions when I quote from an illustrious predecessor, who said that 'all civilization begins and ends with the plow.'

"The diffusion of information' in this period of our history is more demanded than it has ever been in the past. We must keep abreast with the educational progress of the times. No impediment possible to be removed should stand in the way of the inquisitive reason of the youth of our land. Our schools, from the primary to the University, must reach the highest degree of efficiency—not merely in literary and scientific culture, but in all branches of practical instruction which can be utilized in the varied occupations of our people.

"We have a cosmopolitan population hailing from all over the Union and from foreign lands, and yet we are homogeneous and accordant in our aspirations for the good of the State and the well being of society. We rejoice in the fact that we are indeed a free people, free to enjoy and practice religion as our consciences dictate, free to pursue our own happiness and engage in any lawful calling, free to speak our honest convictions, free to vote as we choose, free to arraign abuses, free in person, and free to work out our own salvation and accomplish the great and beneficent purposes that lie out before us for the upbuilding of our State and the uplifting of each other. May it always be remembered that 'the personal freedom of the individual citizen is the most sacred and precious inheritance of Americans.'

"Let us unite our hearts and hands to achieve all that the day and generation require of us, and mutually strive that 'every useful, every elegant art, every exercise of the imagination, the height of reason, the noblest affection, the purest religion shall find their home in our institutions, and write our laws for the benefit of men.'

"I again appropriate the language used by the great statesman on the memorable occasion to which reference has been made and thereby give voice to 'the thoughts that arise in me.' His concluding words were: 'I repair then, fellow citizens, to the post you have assigned me * * * I shall often go wrong through defect of judgment. When right I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional, and your support against the errors of others who may condemn what they would not, if seen in all its parts. The approbation implied by your suffrage is a consolation to me for the past, and my future solicitude will be to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.'

"I am sure we all unite in tendering our best wishes to the retiring Governor of the State, while we cheerfully testify to his valuable service and honest administration of our affairs. He need not shrink from

comparison with his worthy predecessors nor dread an impartial audit of his official conduct, for history will accord to him unstinted praise for his devotion to public duty. I know this generous audience will indulge me to say that he and I belonged to a generation now rapidly passing away. We represent and have been associated with times and scenes that are fading into tradition to those who have come after us in the later years, but they will be vivid to him and me 'while memory clings to aught below.' We have had a common experience in war and peace. Our friendship has been long and unbroken. We have served together in National councils, and now it happens that I am to succeed him in the highest office our people can bestow. I can only hope that when it shall come to me to turn over this exalted station to another as he now does to me, it may be to receive the approval which we sincerely extend to him, 'Well done, thou good and faithful servant.'

"Associate Justice of the Supreme Court, F. A. Williams, then administered the oath of office to Lieutenant-Governor-elect Geo. D. Neal, who came forward and the same ceremonies were had as in the case of the Governor."

Ex-Lieutenant-Governor Jas. N. Browning then presented Lieutenant-Governor Geo. D. Neal to the two houses.

At the conclusion of ex-Lieutenant-Governor Browning's address, Lieutenant-Governor Geo. D. Neal, speaking briefly, said:

"Gentlemen of the Senate and House of Representatives, and Ladies and Gentlemen:

"I am indeed grateful to the people of Texas for the high honor conferred upon me by electing me Lieutenant-Governor of this imperial commonwealth, and in return I promise to do my duty faithfully and to the best of my ability, and also pledge myself, as far as it is in my power, to carry out the Democratic platform demands, and to enact into laws all good and wholesome measures recommended by the Governor of this State. If, during the term of my office, I shall discharge the duties devolving upon me as faithfully, impartially and with the marked ability of my predecessors, I will feel that my labors have been amply rewarded and my duties well performed."

"At the conclusion of Lieutenant-Governor Neal's address, Speaker Neff announced that the business of the Joint Session was concluded, whereupon Senator Hicks moved that the Senate retire to its chamber.

"President Pro Tem. A. B. Davidson put the motion on the part of the Senate and it prevailed. The Senate then retired to its chamber.

"On motion of Mr. Shannon, the House, at 12:55 p. m., adjourned until 10:30 a. m., tomorrow."

Arriving in the Senate, the following proceedings were had:

"Ex-Lieutenant-Governor Browning called the Senate to order, and in presenting Lieutenant-Governor Neal, said:

"'Senators: I have presided over this body with a great deal of pleasure and carry away with me anything but ill. I have received but consideration and kindness at the hands of the Senators. Instances

of error committed are now gone to me, and these errors committed were not those of the heart. I have learned to love the Senators. I carry with me the best feelings for them and return my thanks and wish for them the very best.

"Senators, you have an onerous job on hand. You have many intricate questions to decide, but you have an able, and impartial, and efficient presiding officer. I hope you will accord to him the kind and cordial feelings for him as for me. I know him to be one to be worthy, to be true, and I know him to be an honest man in every particular. So, Senators, I bid you a fond adieu and present you your Lieutenant Governor and presiding officer, Geo. D. Neal."

"Lieutenant-Governor Geo. D. Neal, on taking the gavel, said:

"Gentlemen of the Senate: In assuming the gavel, I do so with the knowledge of the fact that one situated as I will commit errors, but you, I hope, will take them as of the head and not of the heart. I shall try to treat everyone on the floor alike. Every man has his personal friends and I have mine, and I shall appeal to them for advice. Let us enact good measures, and do our best during the session. I believe Texas is on the era of a greater prosperity than she has ever had, and much of this prosperity depends upon the laws enacted by you, Senators. Let us conduct ourselves so that we can retire when the others come, and reap a reward of well done, thou good and faithful servants.

"I now declare the Senate ready for business." Whereupon Senator Stafford offered the following resolution:

"Whereas, the Hon. James N. Browning this day retires as presiding officer of this body, therefore be it

"Resolved, That we unanimously regret to sever our pleasant relations, both personal and official. We have ever found him able, fair, and faithful as an officer, and sincere, courteous, and kind as a friend; and in leaving us he carries the confidence, love, and respect of all the Senate."

"Read and adopted by a rising vote.

"On motion of Senator Faubion, the Senate, at 1:55, adjourned until 10 a. m. tomorrow."

The Austin Statesman of January 21 said:

"The inaugural ceremonies held in the House of Representatives yesterday attendant upon the inauguration of Governor S. W. T. Lanham and Lieutenant-Governor George Neal, occasioned an attendance seldom equaled in the records of the past. The inaugural ceremonies were arranged for the high noon hour, but long before that time the house was packed from the Speaker's desk to the farthest point in the high galleries. The attendance was so large that many sections of the immense hall were practically suffocating on account of the crowd. There were a great many ladies in the crowd, and they entered into the spirit of the occasion with all possible zest. The ceremonies attendant upon the inauguration were most impressive and proved both interesting and instructive to those in attendance. The speaker's rostrum was tastefully deco-

rated with flowers and palms and seated thereon, in addition to the presiding officers of the two legislative bodies and the Governor-elect and Lieutenant Governor, were retiring Governor Sayers and retiring Lieutenant Governor Browning, the heads of State departments, and the judges of the Supreme Court.

"The remarks of Governor Lanham were attentively listened to throughout, and his touching tribute to Governor Sayers, who has been his lifelong friend, brought forth prolonged applause from the thousands in attendance."

INAUGURAL BALL.

The people of Austin yield precedence to no other citizens of the State in the solid virtues and the lighter graces that lend dignity and charm to life.

Their reputation in this respect was amply sustained by the delightful ball given by them in the hall of the House of Representatives at the State capitol the night of January 20, 1903, in honor of the inauguration of Hon. S. W. T. Lanham as governor, and intended as a special compliment to him.

It was, perhaps, the most brilliant ever accorded an incoming chief executive of Texas.

Credit for the success of the event is due to the chairmen and members of all the citizens' committees; among the number and in a superior degree to Hon. John L. Peeler, Chairman of the Executive Committee; Hon. Joe Lee Jameson, Chairman of the Invitation Committee, and Hon. Jno. W. Hornsby, Chairman of the Finance Committee.

Beauties and notables from all parts of Texas and from other States were in attendance.

Letters expressing regrets for not being able to be present were received from President Roosevelt, Chief Justice Fuller and others.

Hon. James K. Jones, Chairman of the Democratic National Executive Committee, wrote to Mr. Jameson: "Your very kind card inviting me to be present at the inaugural ball in honor of His Excellency, Governor S. W. T. Lanham, Tuesday evening, January 20th, is received, for which please accept my sincere thanks.

"Nothing would give me greater pleasure than to accept this invitation if it were possible to do so. Gov. Lanham has made a record in Congress which has endeared him to the hearts of all who know him well, and has won him a place in the esteem of all thinking men, of which he and his state may well be proud. The 'Lone Star State' honors herself in calling him to the office of Chief Executive. A man of the people, thoroughly in sympathy with the best type of American manhood, of pure character,

fine ability, and unimpeachable integrity, his administration will reflect credit on himself and bring great good to his State.

"Wishing you, and all who may attend on the occasion, the greatest pleasure, I am, truly yours, James K. Jones."

Hon. D. B. Henderson, Speaker of the House of Representatives of the United States Congress, wrote: "I am this morning [Jany. 8] in receipt of the invitation to attend the inaugural ball in honor of Gov. S. W. T. Lanham, on January 20, the invitation extending also to the ladies of my family.

"I can hardly express how sincerely I appreciate this invitation. Gov. Lanham and I have been intimate friends for an age, serving together in Congress and on committees. I know him as few men know him, and, if it were in my power to surrender for a time my official duties to attend the inaugural ball, it would be one of the pleasures of my life to do so. I want to thank the citizens of Austin for paying this compliment to their distinguished Governor and citizen, and I want you to know how thoroughly I appreciate being remembered in this matter."

Guests were admitted at the main south entrance to the capitol and proceeded at once to the second floor, where the ball was given.

The first arrivals began shortly before 9 p. m., and from that hour the tide of comers continued until after 12 o'clock, rising in volume, as is usual on such occasions, to a dense, steadily in-pouring stream, and then diminishing to scattered parties, and finally terminating with the arrival of some ultra fashionable couple. The throng numbered several thousand persons.

"Around the balconies of the Hall of Representatives," says the Daily Statesman, "were caught festoons of Texas laurel. * * * Garlands of laurel spiraled each pillar and looped aside the silken folds of the beautiful flags draped upon each side of the rostrum. Mammoth palms formed a bank of living green against their colors, bringing out with brilliant effect the letterings of light, '1899 Sayers—Lanham 1903,' placed against them.

"Strings of lights crossed and recrossed each other overhead and about the walls, glowing with their steady light upon the ever changing scene below.

"* * * Beginning shortly after 9 o'clock Professor Besserer's band, which later on furnished music for the dancing, favored the assemblage with a delightfully rendered concert program, which served to while away the hours until the ball proper opened." The military band from San Antonio rendered a similar program in the Senate chamber.

The grand march began at 11 o'clock, and was led by Governor and Mrs. Lanham. The plan of the march was as follows (the gentlemen being accompanied by ladies): Governor, ex-Governors, Lieutenant-Governor, Judges of the Supreme Court, Judges of the Court of Criminal Appeals, United States Senators and congressmen and ex-United States senators and congressmen, Speaker of the Texas House of Rep-

representatives, Attorney-General, State Comptroller, State Treasurer, Railroad Commissioners, Commissioner of the General Land Office, Superintendent of Public Instruction, President and members of the Board of Regents of the University of Texas, Judges of the Courts of Civil Appeals, Secretary of State, Governor's Private Secretary, Adjutant-General, State Health Officer, Superintendent of Agriculture, Insurance, Statistics and History, Superintendents of State eleemosynary institutions, State Senators and Representatives and citizens.

Dancing followed, but owing to the crowded condition of the floor, not much headway was made until after 2 o'clock. From that hour, when nearly all the older people had retired, dancing continued till almost morning.

The event was a most happy one—a distinguished honor to the Governor, and it is to be hoped, auspicious of four years of successful administration.

BOARD OF PARDON ADVISERS.¹

Gen. Henry E. Shelley and Capt. J. N. English; salary, \$4 per day for three hundred days each year.

Gen. Shelley's home is in Austin. He was first appointed by Gov. Sayers, February 1, 1899, and was appointed by Gov. Lanham January 27, 1903.

Capt. English is from Cleburne, Texas. He was appointed by Gov. Lanham January 27, 1903, and succeeded as a member of the Board Rev. R. K. Smoot of Austin.²

TWENTY-EIGHTH LEGISLATURE.

The regular session of the Twenty-eighth Legislature began January 13, 1903, and adjourned sine die April 1, 1903. The first called session of that body extended from April 2, 1903, to May 1, 1903.

The Senate was called to order at 12 o'clock noon by Lieutenant-Governor Browning, January 13. Thirty of the thirty-one members were present.

Dr. W. D. Bradfield, of the Tenth Street Methodist Church, South, of

¹ For a history of the origin and statement of the duties of the Board, and a list of those who have served as members of it, and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

² See biographical notices of Gen. Shelley and Capt. English elsewhere in this volume.

Austin, delivered the invocation, after which Lieutenant-Governor Browning appointed a secretary, sergeant-at-arms, and other temporary officers.

The roll was next called, and the senators, rising in their seats, took the oath of office.

A proposition by Senator Henderson to reduce the number of Senate employees specified in a resolution offered by Senator Stafford was voted down, the only vote in favor of it being that of Senator Henderson; whereupon the Stafford resolution was adopted, and permanent officers elected.

The senators then drew for seats.

The rules of the Twenty-seventh Senate were adopted, subject to change.

Senator Davidson of DeWitt county was elected president pro tem. by a unanimous vote.

The following resolution, offered by Senator Hanger, was adopted:

"Resolved, That Thursday, the 22nd day of January, 1903, after the morning call be set aside as a time for the members of the Senate to determine by lot the length of their term in accordance with the constitutional provision concerning the same, and that the same shall be determined by lot as follows:

"Thirty-one slips of paper, of uniform size and color, shall be placed in a hat, on fifteen of which shall be written 'two years' and on sixteen of which shall be written 'four years,' and thirty-one slips of paper of uniform size and color, shall be placed in another hat, on each of which shall be written the name of a senator, all of said slips being well mixed. The Sergeant-at-Arms shall draw a name from one hat and at the same time the Secretary of the Senate shall draw a slip specifying the term from the other hat, and the name and the term so drawn shall be read and recorded, and the terms shall be thereby determined and fixed. All of which shall be done at the secretary's desk, the Senators and all officers and employees retiring behind the bar." [Time was later postponed to January 28.]

On the 14th standing committees were announced.

Senators Savage, Hale, and Patterson were appointed a committee to notify the House of the Senate's organization.

January 16th, Senators Savage, Hanger, and McKamy were appointed a committee to notify the Governor of the organization of the Senate.

On the opening day and at the same hour the Senate met, the House of Representatives was called to order by Secretary of State John G. Tod, with 130 of the 133 members present.

Dr. R. K. Smoot, of the Free Presbyterian Church of Austin, delivered the invocation.

Judge Tod, after appointing temporary officers, had the roll of counties called, and the members, rising from their seats in a body, were sworn in by repeating the oath of office as it was read to them by the temporary chief clerk (the same method pursued by the Senate.)

Judge Tod then announced that the election of a speaker was in order.

L. S. Schluter, of Marion, was placed in nomination by Brelsford, of Eastland.

Pat M. Neff, of McLennan, was nominated by Tom Connally, of Falls. Griggs of Houston, Ferg Kyle of Hays, Sanford of Maverick, Ragland of Upshur, Linn of Galveston, Grisham of Collin, and Duff of Jefferson, delivered seconding speeches for Schluter, each being followed by one of the following gentlemen, who spoke for Neff: Woods of Grayson, Worsham of Hopkins, Greer of De Witt, Stollenwerck of Hill, Jones of Panola, Moran of Parker, and Stell of Delta.

The ballot resulted as follows: 57 votes for Schluter and 73 for Neff. Before the result was announced, Judge Schluter secured the floor and, on his motion, the election of Mr. Neff was made unanimous.

Boyd of Hill, and Glenn of Austin, a committee appointed for the purpose, escorted Mr. Neff to the stand and the Secretary of State surrendered to him the gavel. His speech acknowledging the honor conferred upon him, thanking his friends, and paying a tribute to the merits of his opponent, was a model of its kind, and was greeted with long continued applause.

Adjournment was had until 4 p. m.

At the afternoon session members drew for their seats. On the 14th and 15th permanent officers were elected, and then, and from day to day thereafter, appointments were announced until all employes provided for by resolution were selected.

On the 15th Messrs. Brelsford, Connally, and Mays were appointed a committee to notify the Governor of the organization of the House, and Messrs. Green, Hagan, and Alderdice, a committee to convey knowledge of the fact to the Senate.

On subsequent days (16th, 17th, 20th and 21st) standing committees were announced.

Committee clerks in the Senate (with the exception of two general clerks appointed by the President) were elected by ballot, and in the House were appointed by the Speaker. The Sergeants-at-arms of the Senate and House were each allowed to appoint a clerk to assist them in keeping their books, issuing supplies of stationery to members and committees, etc.

The officers and committee clerks of the Senate were paid \$5 per day, the Sergeant-at-Arms' clerk \$3, and the pages and porters \$2.

The elective officers of the House were paid \$5 per day, committee clerks \$4 (including the clerk of the Sergeant-at-Arms), and pages and porters \$2.

The popular vote for Governor and Lieutenant Governor cast at the November, 1902, general election, was counted and the result declared January 16, and those officers inaugurated on the 20th. [For a detailed account of the proceedings see article entitled "Inauguration of Gov. S. W. T. Lanham and Lieut. Gov. Geo. D. Neal," elsewhere in

this volume. The account of the inaugural ball, a description of which is also published, will prove of interest to many readers.]

On the 16th, Gov. Sayers sent in what may be termed his valedictory message. It reviews at length the principal work accomplished during his administration, details the condition of all parts of the State government at the time it was written, and contains numerous suggestions as to needed legislation, and is not only interesting, but a document of historical value.

On the same day he sent in two short messages, one submitting a report prepared by himself, Comptroller R. M. Love, and Attorney-General Bell, who were constituted by the legislative resolution of August 30, 1901, a committee to enter into such an agreement with the First National Bank of Austin as would result in the return to the State treasury of all money belonging to the State held by that institution at the time of its temporary suspension; and the other transmitting a report submitted to him by the superintendents of the State Insane Asylum, Deaf and Dumb Asylum, and Public Buildings and Grounds, who were by him constituted a board to report, after thorough investigation, a plan for better supplying the public buildings and grounds at Austin with water and lights. The latter message was accompanied by various papers showing the action taken by the board.

In the Senate, January 15, Senator Hicks presented a petition from Barnard E. Bee Chapter U. D. C., of San Antonio, asking that the birthday of Jefferson Davis be made a legal holiday in Texas.

The Sergeant-at-Arms was directed to gather up newspapers each day from members' desks, when through with, and send them to the Confederate Home.

In the House, January 17: The journal contains the following on a special page, surrounded by a mourning border:

"In memoriam, Hon. John L. Sheppard and Hon. R. C. De Graffenreid. Mr. Ragland offered the following resolution: 'Resolved, That the House of Representatives of Texas mourn the deaths of Hons. John L. Sheppard and R. C. De Graffenreid, late members of Congress from Texas, and that we extend to their families our profound sympathy. That a page of to-day's journal, suitably inscribed, be set apart for the publication of this testimonial of our appreciation for the distinguished dead. (Signed) RAGLAND and NAPIER.' The resolution was read the second time, and Mr. Ragland moved that it be adopted by a rising vote. The motion prevailed, and the resolution was adopted unanimously."

Mr. Terrell of Travis offered the following resolution:

"House Concurrent Resolution No. 3, expressing the high esteem in which the Hon. John H. Reagan is held by the people of Texas, citing his eminent public services throughout a long and useful career and congratulating him upon his retirement from public life cheered by the love and approbation of the people.

"Whereas, The Hon. John H. Reagan, now president of the Railroad Commission of Texas, has announced his determination to retire per-

manently from official life after the 20th inst., and it seems proper that he should receive a testimonial of the esteem in which he is held by the people; therefore,

"Section 1. Be it resolved by the House of Representatives, the Senate concurring, that the Hon. John H. Reagan, during his long and checkered career as a citizen of the Republic and State of Texas, has merited and received the approbation of the people.

"He was a surveyor, captain, justice of the peace, probate judge and lieutenant colonel of the Republic of Texas, a member of the Legislature, district judge and member of Congress before the civil war, member of the Secession Convention of 1861 and postmaster general of the Southern Confederacy for four years, member of the Constitutional Convention of Texas in 1875; member of Congress for fourteen years after 1874; United States Senator for four years, and eleven years president of the Railroad Commission of Texas. In his long career and in discharging his varied official duties he has demeaned himself as a pure and unselfish patriot, a Christian gentleman and an able officer.

"Section 2. That we tender to the Hon. John H. Reagan our congratulations on the fact that he will go to his retirement from public life cheered by the love and approbation of the people of Texas."

The resolution was read and Mr. Terrell of Travis moved that it be adopted by a rising vote. The motion prevailed, and the resolution was adopted unanimously.

In the Senate, January 20: Senator Stafford presented resolutions adopted at the convention of the Texas Division, United Daughters of the Confederacy, at Fort Worth, December 2, 3, and 4, 1902, asking that the Confederate Home at Austin be enlarged so as to accommodate more inmates.

Senator Faulk presented a memorial from the teachers in the public schools of Dallas asking the enactment of a law restricting the employment of child labor in factories.

In both houses, January 21: Gov. Lanham sent in the following message (his first):

"To the Senate and House of Representatives:

"Information concerning the condition of the State as the constitution requires to be given to the Legislature by the Governor has been recently submitted by my predecessor and is accepted as accurate and reliable. What he has thus communicated in his message, as well as the estimates of the amount of money required to be raised by taxation for all purposes, I feel free to adopt and the same is, without entering into details or making extended repetition, again respectfully presented for your consideration. The reports and recommendations of those in charge of the various departments and the different divisions of the public service are also resubmitted and your attention thereto invited. The suggestions therein contained seem to be entitled to a patient hearing and investigation at your hands. Confined within the available revenues, necessary appropriations for promoting the efficiency and enlarg-

ing the usefulness of the instrumentalities of the public service and securing the best possible beneficial results, are not only advisable as a matter of general interest, but are desirable from the standpoint of convenient and satisfactory administration.

"It seems that some of our State institutions are in need of facilities not now afforded. A delayed appropriation for repairs or essential improvements not only intensifies the embarrassment and serves to impair the operations that ought to be conserved, but frequently brings about a serious loss to the investment already made. Timely attention in such cases is a saving in the end. While proper economy is always in order, a neglect of present urgent demands possible to be met, is neither good policy in the conduct of governmental matters nor is it sound from a true financial standpoint. In ordinary business management, it is usually well to take care of valuable resources on hand and prevent their deterioration. The same rule is applicable to public affairs.

"What I desire to impress upon your serious reflection at the very threshold of your legislative work, is the fact that representing as this Legislature and administration do, the agencies selected by the dominant political organization of the State, and being obligated to a due observance of the platform demands of the party that has chosen us, it is our bounden duty to execute the covenants made with the people of the State by its authorized action, and we owe it to party and people to resolve into statute the declarations of policy and purpose as shown in the work and word of our last State convention. We have had a long lease of power and responsibility. They have not been abused in the past, and to retain the future confidence of the people, it is of the highest importance as well as a patriotic duty that we fully live up to the promises that have been made. Let nothing required to be written into law as demanded of you or favored by our platform, fail at your hands to be put upon the statute books. Subject only to the limitations of the constitution should the avowed policy of a party successful at the polls be fully carried out. It is not believed that a large amount of new legislation is needed, aside from that thus indicated. Too many laws—too much government are not desirable. Only such matters as the actual conditions and public necessities call for, should consume our time or absorb our attention. We should avoid any ill-advised experimentation.

"While recommending our platform demands as an entirety and without special discussion of each in its order—it not being intended to now submit an exhaustive message—I shall content myself for the present, with saying that from time to time as occasion may arise, I expect to avail myself of the privilege as well as endeavor to discharge my duty by inviting your attention to such measures as may appear to be of additional importance. I feel impelled, however, to say, while not underrating a single one of these demands, and earnestly urging each and all of them upon your considerate notice, that there are some features thereof which, in my opinion, ought to be accentuated at this

time. Among them are these declarations which are regarded as of the utmost significance:

"We favor a broad and enlightened policy towards capital and corporations doing business within our State and towards those desiring to enter our State for the purpose of developing its great natural resources and for the protection of such, as well as for the protection of all our people, without regard to condition; we declare our opposition to trusts, mergers and other combinations for the restriction of trade, and demand that the next Legislature shall pass a law or amend our present laws so that it will be impossible for such corporations to do business in Texas." There would seem to be no extended elaboration necessary to this admirable statement, in order to convince the intelligent and well informed lawgivers who compose our Legislature, of the purpose and policy of our people.

"We all desire the investment of capital in our State and welcome the introduction of every legitimate business concern, with the hope that it may do well and prosper among us. While seeking to protect our people against the schemes of avarice and corporate dominion, we have no disposition to check or obstruct industrial progress, nor cause well disposed capital to halt at our borders. We desire nothing that will delay the coming or prevent the rightful and orderly employment of capital, or that will be unjustly severe upon its investment and honest operation. We are cheerful to accord to that now among us, or yet to come, every proper right, but we can not bestow upon it any immunity inconsistent with the true interests of the people and contrary to the basal principles of justice to all, in order either to induce it to remain or persuade it to enter our midst. We all wish to foster the development of the great natural resources of our State and to see every honest industrial enterprise stimulated and upheld; but this can be accomplished without doing violence to correct principles and sound governmental policies. We are not unmindful of the fact that there are great interests and vast concerns beyond the compass of individual power or ordinary partnership and the capital of any one man. We make no war on the legitimate corporation which is necessary and useful in the promotion and successful conduct of the many deserving enterprises of the times. A proper combination of the resources of wealth and skill is indispensable to the operations of the great industrial, manufacturing and commercial business of the country. No conservative man, no sound political economist, would impair, much less destroy, any lawful corporation in the suitable exercise of functions not harmful to the well being of the people nor injurious to the common rights of men.

"It is conceded that the decision of the Supreme Court of the United States in what is known as the Illinois case has practically nullified, to say the least, a portion of our anti-trust laws. There is a contrariety of opinion as to the full extent to which it affects our previous legislation upon this subject, it being believed by many of our able lawyers that our statute passed in 1899 is still in effect, while others maintain

that it is no longer operative. The consensus of opinion seems to be that our legislation of 1889 and 1895, relating to trusts, is no longer valid and enforceable. In the absence of some authoritative and final judicial determination by the Federal court of last resort, concerning the constitutionality of our Act of 1899, we can not afford to leave this matter in any incertitude, and hence it seems essential that we should re-enact our statutes of 1889 and 1895, or add so much thereof as may be necessary to that of 1899, omitting any provisions that would come within the inhibition defined by the Supreme Court in the case to which reference has been made.

"In addition, it is respectfully suggested that there must be some way whereby the federation of corporations in restraint of trade and wrongful consolidations of competing properties can be prevented. The State must have the power 'to protect itself against the abuse of the privileges it grants.' There must be 'plain law and plain sense enough to deal with corporate abuses, abuses which, if allowed to thrive and become general, must inevitably lead to the oppression of the people and ultimately to the subversion of their political rights.' 'There can be no immunity to evasion of the policy of the State by its own creations.'

"To create one corporation for the express purpose of enabling it to control all the corporations engaged in a certain kind of business, and particularly a business of a public character, is not only opposed to the public policy of the State, but is in contravention of the spirit if not the letter of the constitution. To create one corporation that it may destroy the energies of all other corporations of a given kind and suck the very life blood out of them is not a lawful purpose."

"As corporate grants are always assumed to have been made for the public benefit, any conduct which destroys their normal functions and maims and cripples their separate activity, and takes away their free and independent action, must so far disappoint the purpose of their creation as to affect unfavorably the public interests, and that to a much greater extent when beyond their own several aggregations of capital they compact them all into one combination, which dominates the range of an entire industry. It is not a sufficient answer to say that similar results may be lawfully accomplished, that an individual having the necessary wealth might have bought all these properties and manned them with his own chosen agents and managed them as a group at his sovereign will; for it is one thing for the State to respect the rights of ownership and protect them out of regard to the business freedom of the citizen, and quite another thing to add to that possibility a further extension of those consequences by creating artificial persons to aid in producing such aggregations. The individuals are few who hold in possession such enormous wealth, and fewer still who peril it all in a manufacturing enterprise; but if corporations can combine and mass their forces in a solid trust or partnership, with little added risk to the capital already embarked, without limit to the magnitude of the aggregation, a tempting

and easy road is open to enormous combinations vastly exceeding in number and in strength and in their own power over industry the possibilities of individual ownership; and the State by the creation of the artificial persons constituting the elements of the combination, and failing to limit and restrain their powers, becomes itself the responsible creator, the voluntary cause of an aggregation of capital which it simply endures in an individual as the product of his free agency. What it may bear is one thing; what it should cause and create is quite another.'

"I have quoted above the language of great jurists in adjudicated cases, and that what they say is sound in legal philosophy as well as wise in public policy, must be apparent to every candid mind. Our people say in no uncertain terms that they are 'opposed to trusts, mergers, and other combinations for the restriction of trade,' and we owe it to them and ourselves to see to it that their opposition is made effective. Public interest has been quickened to the necessity of legislation, State and Federal, for protection against corporate abuses and the destruction of competition. The internal commerce of our State is so large and expanding, our territorial area and boundaries are so extensive, our industries are so abundant and diversified, our normal development is so gratifying and progressive, that whatever may be the usual limitations by virtue of the interstate powers conferred on Congress in their application to smaller States, we have intrastate interests of such present magnitude and future possibilities as to require of us the proper and reasonable use of any jurisdiction we possess in restraint of illegal combinations and in order to promote free competition; and the necessity for anti-monopoly statutes reaching all the devices of human cupidity in corporate organization is perhaps more exigent in Texas than in most if not any of our sister States. Give the trusts and monopolies unlimited license and unrestrained power, allow conspiracies for gain to work their will and ways without let or hindrance, and ere long individualism will be obliterated and the masses will be reduced to practical servitude. It is against the ethics of civilization, the proprieties of life, the genius of our institutions, the equities of good government and the conscience of a free people that aggregated capital and the artificial creature—the federation of corporations—should be allowed to use their tremendous power to oppress mankind. I emphasize these suggestions by quoting the words of the able Attorney-General of our State: 'If one large corporation can be allowed to acquire and operate competing plants, the effect is exactly the same as if such competing plants should make contracts with each other by which competition would be suppressed and prices regulated.' Whatever legislation may be needed to meet this phase of corporate aggrandizement and to prevent such encroachment upon the freedom of commerce, to stop the coalition of competing associations into one mammoth concern which can 'destroy the normal functions and maim and cripple the separate activity' of other organizations formerly independent of the combination, should receive the most serious consideration and resolute action at the hands of the law-making

power of the State, and to this consummation your talents and energies are earnestly summoned.

"To protect the fairness and purity of primary elections or conventions and adequately punish for illegal voting or corrupt practices,' is not only demanded by the announced will of those who have selected you and through whom you hold your commissions to legislate, but is in keeping with the essential spirit of our institutions. Our best civilization, our common morality, our dignity as a State, our standing as a people, the respectability of our representative government, our true manhood and the high character of our constituted public agents, all unite in emphasizing the vital importance of preserving the purity and the freedom of the ballot. All appropriate amendments to our present laws or additional legislation having these objects in view, should receive your prompt and careful attention.

"The State must have the necessary means for the successful conduct of its business affairs, for the adequate maintenance of all its institutions and to discharge its numerous obligations. 'The honest payment of its debts and sacred preservation of its public faith' must be in all respects observed; and to these ends, it is meet that no proper subject of taxation should be allowed to escape just rendition and assessment. No dislocation of cash or credits, nor concealment of intangible and invisible property should be resorted to nor permitted in order to evade that contribution to the public revenues which they should appropriately bear. Taxation should be equitably imposed and distributed, and its burden be proportionately and as far as possible uniformly borne. No county, rich in resources and unembarrassed by local obligations or the necessities of its own administration, should permit a reduction of its property valuations so as to result in a diminution of the returns which the law enjoins that it should make to the State treasury. Its obligations to the State are not affected because it may be comparatively free from debt or may obtain ample means to meet its immediate expenses by lower taxation than may be necessary in other counties. If every legitimate source of revenue shall properly respond to the claims of the State, the assessable values of our people are believed to be sufficient to meet all the requirements of economic State administration and justify a decrease in the rate of taxation. No discrimination in bearing public burdens, no avoidance of complete rendition, no favoritism of assessors nor partial discharge of their duties to the public, should be tolerated, nor allowed to stand in the way of the State's receiving that which each citizen, corporation or franchise owes to its support. These propositions can not be too strongly emphasized. It is earnestly recommended that whatever changes in our laws or penalties for their infraction, that may be necessary to secure these objects, shall receive appropriate treatment at your hands.

"The improvement of our county roads and the passage of laws under which a comprehensive system of public roads may be had at the smallest expense to the people, and also the enactment of laws providing for

the employment, as far as practicable, of short term State convicts on the public roads in counties making suitable provision therefor, and the employment of State penitentiary convict labor on work not in competition with free labor, as far as practicable, and that such prisoners be employed within the walls of the penitentiary and on farms operated by the State on its own account,' are propositions emanating from that high political authority which it is our duty to respect, and to which we should feel ourselves committed, for such is the expressed will of our State convention. No more interesting and practical subject in recent years has attracted public attention throughout the country than the improvement of our common highways. Its wise treatment and correct determination will result in incalculable benefit to the people. The blessings flowing from good roads can hardly be overestimated. The vast and varied agricultural interests of the State, increase in the value of farm lands, the easy transportation of farm products, the reduction of expense and discomfort in rural travel, the saving in the wear and tear of the farmer's vehicles, the stimulation of local commerce, the upbuilding of country communities and facilitating their intercourse with county sites and trading points, the prompt delivery of mails, with other untold incidental advantages to farm life and occupation—all of these and accompanying utilities will be promoted by the systematic construction and improvement of our county roads. Nothing, perhaps, of greater economic importance challenges your best efforts than the enunciation of our platform on this plain yet momentous and far-reaching subject. It is earnestly commended to the legislative mind in the hope that its proper solution may be accomplished.

"The hiring of convicts to private contractors to be worked outside the penitentiary walls, has long been reprobated, and our State officials under different administrations have expressed their dissatisfaction with and declared their objections to the continuance of such a practice. The only assignable reason why it has not long since been abandoned is the fact that a financial profit has resulted from its operations. Nothing in the philosophy of penology, nor correct principle in the disposition of convicts, nor wise administration of our penitentiary system can be appealed to for a justification of the course that has been pursued. It rests alone upon the consideration that the State has made money by such a disposition of its prisoners; and the fact further remains that others have thereby made money for themselves; and it is conceded that abuses have consequently arisen which have been a cause of much adverse criticism and public discontent. It is gratifying to believe that we are rapidly approaching the time when additional convict labor can be expended on our State farms which have been enlarged by recent investments, and which may perhaps be still further expanded to the advantage of the State, and that short term convicts, not needed for the State industries indicated, can be utilized for the improvement of our common roads, as suggested in the plank of the platform quoted.

"It seems proper to remark in this connection that I am not pre-

pared to say, without legislative sanction, that the iron industry at our penitentiary at Rusk should be immediately abandoned. It must be borne in mind that the original location of this penitentiary was in consequence of the supposed abundance of iron ore in that region, and that there are, it is claimed, plentiful resources of this raw material contiguous, some of which are owned by the State, and that mineral reservations are held by the State in adjacent lands not possessed by it. The State has expended large sums in the effort to operate this industry. It owns plants and machinery and railroad and other properties in connection therewith. The entire establishment with its adjuncts represents the investment of great amounts of money. I am not unaware of the fact that the speedy discontinuance of this enterprise has been strongly recommended by those connected with the administration of the penal system of the State, and that it is emphasized in official reports that financial sacrifice of large proportions has attended operations in the past, and must inevitably follow their prosecution in the future. The question suggests itself as to whether these previous results have ensued because of inadequate machinery and the lack of suitable modern facilities and systematic operation, or on account of the impossibility of carrying on the work in such way as to be profitable or self-sustaining or expedient in consequence of the paucity or inferiority of the ore, inability to procure fuel and other indispensable means to keep up the enterprise, or obvious inherent obstacles and absence of resources and materials without which no desirable objects could be accomplished. If the latter be the case, the sooner the plant and allied properties are disposed of or converted into something useful, the better it would seem to be for the interests of the State and prison administration. If, however, the ore available be of sufficient quality and quantity, and all the instrumentalities required for its reduction and manufacture are accessible at reasonable cost and will continue to be so for any considerable number of years, should the State surrender the investment already made or part with its property at a sacrifice, for want of suitable appropriation for any proper equipment of what it has already constructed? Because it has not paid enough to sustain the entire expense of the Rusk prison, with a penal colony in excess of the number of operatives employed in this industry, and even the fact that it has thus far been operated at a loss, are not of themselves conclusive reasons for immediate abandonment. Can it, by a reasonable additional outlay, be made useful to the State, or to subserve a good purpose in convict employment and prison management? Long term prisoners should be worked within the prison walls, and they should be kept at work even if their labor be unremunerative. It will not do to hold them in idleness. Both the penalties of the law and the enforcement of discipline demand their active employment. If this iron industry shall be summarily shut down and closed out, what is to be done with these long term convicts? Are they needed or can they be profitably utilized in addition to those already engaged in the manufacture of furniture and other employments which

are being conducted both at Rusk and Huntsville? If it be possible to supply iron products required in the different institutions of the State, and to any considerable extent by the people at large, and thereby measurably make ourselves independent of outside markets; if, incidentally, our iron resources in the State should be advertised and capital should in consequence be invested in their development; if even a limited and local competition with great corporations in the iron trade and a modest defiance of their dictation of prices can be asserted, is it not apparent that some useful public purposes may not be subserved. These suggestions are submitted for your candid and intelligent consideration without any assumption of superior information upon the part of him who makes them, or his possession of ascertained or specific facts at variance with the statements found in the reports of our penitentiary officials. It is desirable to avoid any improvident expenditure of the public money, and no rash experiment calculated to involve the State in serious financial loss or to bring about any unnecessary deficiency, is to be contemplated, but the matter of immediate discontinuance of this industry and permanent abandonment of all operations connected therewith is believed to be of such importance as to call for impartial and thorough inquiry upon the part of the Legislature, and such further action as their wisdom may deem appropriate. Your careful investigation and matured judgment are accordingly solicited.

"The educational interests of our State are of immeasurable importance. The suggestions contained in the last report of the Superintendent of Public Instruction looking to a revision and simplification of our statutes on the subject of the public common schools and a unified system of school laws, are forcefully made, and seem worthy of careful consideration. Inconsistent statutes or chaotic conditions in existing laws should be remedied. The substantial re-enactment of the present uniform text-book law is embodied among the policies announced in the instructions we have received from the people to whose service we are committed. Nothing that looks to proper educational activity, needful opportunity, and the suitable training of the youth of the State should escape our attention. 'A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people,' is with us a basal proposition, and it should be the ambition of every citizen of the State that the utmost development and highest fruition of our peculiar advantages should be accomplished. Wherever the scope of practical instruction can be beneficially broadened, wherever valuable technical wisdom can be inculcated, in whatever line our young men and young women can be prepared to teach and apply useful knowledge, in whatever way we can wisely uplift the cause of education and make the output of our schools a source of future reliance and upon which requisition can be had at all times and in all callings, are fields worthy to be explored. The best attainable order and most competent administration of our educational system will be approved by all our people, and the benefits flowing therefrom are beyond computation. 'Generous

dealing with all State educational institutions' and kindred suggestions have been impressively formulated in our platform, and within the boundaries of judicious economy, our efforts should be correspondingly directed.

"The constitution enjoins that the Governor 'shall account to the Legislature for all public moneys received and paid out by him from any funds subject to his order with vouchers.' If this be obligatory on the Chief Executive, how strong must be the application of the policy and principle involved to everyone engaged in the public service who becomes the custodian of or disburses moneys held in trust for the benefit of the State. A wise system of public accounting for the receipt, disposition and expenditure of every dollar of public funds in whatever hands they may be placed, whereby it may be easily ascertained just when, how, where, in whose behalf, in what amounts and for what specific purposes the moneys of the State have been and are being used, should not only result in economical administration, but serve as a constant reminder and stimulus to excellence of conduct and rigid responsibility on the part of all public servants. A systematic examination of the books and auditing of the accounts in the departments and subdivisions of the public service will enable the people and their agents to discover on short notice the exact condition of the fiscal affairs of their Government, both in substance and detail, and if anywhere wastefulness, extravagance or mismanagement shall be found, as a result of such inquisition, a speedy correction can be had. Whoever will misapply or make any wrongful use of the least amount of the State's money, only awaits the opportunity for graver delinquency. After all, the State, in fiscal respects, is but a great business establishment, which should be conducted in keeping with strict business principles and accountability. 'Economy in the public expense' should never be disregarded in the least degree, but held constantly in view even as to the smallest transactions.

"The Legislature is the real source to which the people must finally look for all needed reforms, sound policies and suitable enactments, and a responsibility that can neither be avoided nor transferred rests upon each and every individual composing its membership. It is a great and solemn duty to make laws for more than three millions of people and others yet to come. It is a great thing to be a law-giver in Texas.

"Parliamentary order, decorum in procedure, systematic work, prompt attendance upon committees and the sessions of the respective houses and reasonable dispatch of the public business are indispensable to useful and satisfactory results. Absenteeism is one of the banes of legislative assemblies, resulting in unseemly delays, annoying inconvenience to those whose sense of duty keeps them present, and positive detriment to the interests of the people. The place of any man connected with the public service is where that service is to be rendered; absence therefrom without sufficient reason, can neither be justified in personal conscience, nor will it be condoned by the constituency that

has chosen him. I rely with confidence upon your wisdom and devotion to duty, and bespeaking your guidance and support in my own behalf, I sincerely trust that your deliberations may prove gratifying to yourselves and that your work may meet the expectations of our people and redound to the substantial and enduring good of the State.

"S. W. T. LANHAM, Governor."

In the House, January 22: A resolution adopted instructing the United States Senators from Texas to use their influence in securing an appropriation for the purchase of a site near Fort Sam Houston for a camp of instruction for the Texas Volunteer Guard.

In the Senate January 23:

"Senator Stafford offered the following resolution: 'Whereas, The United Daughters of the Confederacy, appreciating the sterling worth of ex-Governor Joseph D. Sayers as a soldier, a private citizen, and faithful public servant, desire to place his bust in the hall of the Senate as a small token of their esteem; therefore, be it resolved, That the Sergeant-at-Arms of the Senate be directed to select a suitable place in this chamber for the use above designated.' Read second time and adopted.

Senator Hicks presented a petition from the Texas World's Fair Commission setting forth the advantages to be derived from a proper Texas exhibit at the exposition, and asking the Legislature for an appropriation of \$200,000 in its behalf.

"Senator Stafford offered the following resolution: 'Whereas, Mr. Sam Harlan is retiring from the position of Superintendent of Public Buildings and Grounds; and whereas, he has ever been a most efficient, courteous and attentive public officer; therefore, be it resolved, that the Senate regrets his retirement and each member extends to him most cordial good will and best wishes.' Read second time, and adopted."

In the House, January 23:

"Mr. Bridgers offered the following resolution: 'Whereas, Dr. J. W. Barnett, physician, soldier, and statesman, who served with valor and distinction as a captain in the Confederate army, and who was a member of the Twelfth and Thirteenth Legislatures from Parker county, and who represented that county in the Constitutional Convention of 1876, and who during the past fourteen years served as treasurer of Howard county, departed this life at his home in Big Springs, on January 22, 1903; therefore, be it resolved, that the House mourns the death of Dr. Barnett and that the sympathies and condolence of the House are hereby extended to the family of deceased. [Signed] Miller of Howard, Bridgers.'

"The resolution was read second time, and Mr. Bridgers moved that it be adopted by a rising vote. The motion prevailed, and the resolution was adopted unanimously."

"Mr. Rieger offered the following resolution: 'House Concurrent Resolution No. 5, providing for a joint committee of three members of the House and two of the Senate to visit the San Jacinto battle ground

to investigate the matter of fitting said battle ground for a public park. Whereas, Governor Sayers recommends in his message that action be taken by this Legislature toward fitting the San Jacinto battle ground for a park; therefore, be it resolved by the House of Representatives, the Senate concurring, that a committee of three from the House be appointed to act with a committee of two from the Senate to visit the San Jacinto battle ground and report back to the House and Senate such recommendations as seem to them proper in order to carry out the Governor's suggestions.' The resolution was read second time, and was adopted, and subsequently by the Senate."

Senate, January 28: Senators drew for length of terms, with the following result:

Beatty, four years; Brachfield, four years; Cain, two years; Davidson of De Witt, four years; Davidson of Galveston, four years; Decker, four years; Douglass, two years; Faubion, two years; Faulk, four years; Faust, two years; Grinnan, two years; Hale, four years; Hanger, four years; Harbison, two years; Harper, two years; Henderson, two years; Hicks, four years; Hill, four years; Lipscomb, two years; Martin, four years; McKamy, four years; Mills, two years; Morris, two years; Pateson, two years; Paulus, four years; Perkins, two years; Savage, two years; Sebastian, two years; Stafford, four years; Willacy, four years; Wilson, four years.

House, January 28:

"Mr. Standifer offered the following resolution: 'Resolved, that Representative Hall be and is hereby tendered to the Farmers' Congress of the State for its use, gratis, on the evening of February 12, 1903, from 7 p. m. to 12 midnight of said date. [Signed] Griggs, Standifer, Rich, Connally, Grisham, Hurt, Hoskins, Kubena.'

"The resolution was read a second time, and adopted."

A resolution was later adopted granting the use of the hall from 12 o'clock noon to 12 o'clock at night February 12 and 13.

"Mr. Hoskins offered the following resolution: House Concurrent Resolution No. 7, relative to the purchase of a site for a United States navy yard at the head of Galveston Bay. Resolved by the House of Representatives of the State of Texas, the Senate concurring, that our United States Senators be instructed to use their influence to secure an appropriation for the purchase of a site for a United States navy yard at the head of Galveston Bay. [Signed] Hoskins, Griggs, Egan."

"The resolution was read second time, and was adopted."

A petition signed by W. G. Wood, Harold Garnett, and F. P. J. Myers, was presented by Mr. Murray of Burleson and Mr. Onion, referred to the Committee on State Affairs, and ordered printed in full in the Journal. It asked for an increase in Confederate pensions, and, among other matter, contained the following:

"We would most earnestly pray your honorable body to take such immediate steps which you, in your wisdom, may find necessary to secure to each needy Confederate soldier the sum of one hundred and

twenty dollars (\$120.00) annually, in quarterly payments. In view of the fact that soldiers receive ninety-six dollars (\$96.00), with daily rations and two suits of clothes, with tents or barracks, we think this sum not unreasonable nor extravagant.

"And in view of the further fact that it takes from one hundred and thirty-six (\$136.00) to one hundred and seventy-five (\$175.00) dollars to maintain a soldier in the Home at Austin, Texas, we think it greater economy to the State to pension worthy applicants than to care for them in a home, hence we pray for this relief.

"Fourth. And that this assistance shall not be given to any one while in the Confederate Home. And further, that any one having received land donations patented to him, his heirs or assigns or executors, shall be barred from the same."

In the House January 29:

"The following telegrams, received by the Speaker, were read to the House: 'Galveston, Texas, January 28, 1903. Hon. Pat M. Neff, Speaker, Austin.—Galveston expresses to the House of Representatives its sincere thanks and deepest gratitude for passage of grade-raising bill. Wm. T. Austin, A. R. Norman, V. E. Austin, H. C. Lange. Board of Commissioners of the City of Galveston.'

"'Galveston, Texas, January 28, 1903. Hon. Pat M. Neff, Speaker, Austin.—Our people desire to extend to you, and through you to the House of Representatives, our heartfelt thanks for the patriotic vote on the grade-raising bill. Frank M. Spencer, Chairman Grade-Raising Committee.'"

Senate, January 30:

"Senator Hale offered the following resolution: 'Senate Concurrent Resolution No. 4. Resolved that the Chairman of the Committee on Educational Affairs shall appoint two members of the said committee, who, with himself, shall constitute a subcommittee to act with a sub-committee of the House Committee on Education, the committees of both houses to prepare a bill which shall comprise a revision of the general school laws, the bill thus prepared to be introduced concurrently in both houses as soon as practicable.'

"The resolution was read a second time, and adopted."

At 2 p. m., by invitation, Mrs. S. E. Rorer delivered an address in the Senate chamber on the subject of domestic arts and industrial training.

In the House, January 31: Offer of Haverley's Minstrel band to give a complimentary musical concert in the hall of the House from 4 to 6 p. m., February 6, accepted, the use of the Hall granted for that purpose and a vote of thanks extended to Mr. George Walker, manager of Hancock Opera House, Austin, through whom, and at whose instance, the offer was extended. [The concert was given at the time specified, and much enjoyed.]

In the Senate, February 3: Senator Hicks presented the following petition:

"San Antonio, Texas, Aug. 2, 1902. To the Honorable Legislature of the State of Texas: Your petitioners would respectfully request your honorable body to grant a pension or other adequate relief to Mrs. Sallie Barrera, of San Antonio, Bexar county, Texas. She is the granddaughter of Lieutenant Dickinson, who was killed at the Alamo, and the daughter of the 'Babe of the Alamo.' Mrs. Barrera is in destitute circumstances, has a blind child and an invalid husband, and though the State made an adequate appropriation for her mother, "The Babe of the Alamo," on account of the death of her mother during the infancy of Mrs. Barrera, she has not received anything from her mother's estate, and through no fault of her own she has been deprived of all interest in same. She is deserving and needy, and the appropriations made by the State to her mother were not received by her or her child. [Signed by 100 citizens of Bexar county.]"

"The chair laid before the Senate and had read the following telegrams: 'Galveston, Texas, January 30, 1903. Hon. Geo. D. Neal, Lieutenant-Governor, Austin, Texas.—Please accept for yourself and express to the Senate appreciation of the statesmanship broad as the State manifest in the grade-raising vote restoring and preserving her great port that the commerce of Texas and the west may forever flow to this distributing mouth of the seas. Frank M. Spencer, Chairman Grade-Raising Committee.

"'Galveston, Texas, January 30, 1903. Hon. R. V. Davidson, Senator, Austin, Texas.—Galveston expresses to the Senators of Texas her most grateful thanks for the kind treatment received in the passage of the grade-raising bill. Wm. T. Austin, H. C. Lange, V. L. Austin, I. K. Kempner, A. P. Norman, Board of Commissioners of the City of Galveston."

In the House, February 4: A sub-committee of the Committee on Penitentiaries were authorized to visit the Rusk penitentiary and investigate and report upon the iron industry being operated there.

In both houses, February 5: A message was received from the Governor, in which he said:

"In pursuance of the duties imposed by the Constitution of the State which provides that the Governor shall recommend to the Legislature such measures as he may deem expedient, I respectfully recommend the passage by your honorable bodies of measures embracing substantially the provisions contained in the three accompanying bills, which have been prepared under my direction, and which, after careful consideration, I fully approve.

"If enacted into law, what is thus proposed will—

"1. Define, prohibit, and declare illegal, trusts, monopolies, and conspiracies in restraint of trade, and prescribe penalties for forming or being connected with such trusts, monopolies, and conspiracies and provide for the suppression of the same and promote free competition in the State of Texas.

"2. Amend Article 745 of the Revised Civil Statutes of the State

of Texas so as to require the charter of a domestic corporation to state the place at which it proposes to transact business, and

"3. Require foreign corporations, before they can obtain a permit authorizing them to engage in business within the State of Texas, to designate the place at which they propose to transact such business, and prohibit foreign corporations which are organized for a purpose for which corporations can not be formed under the laws of the State of Texas, from transacting business within this State."

The message then discusses the trust question from practical standpoints and cites the experience of other States. Among other declarations, it contains the following:

"The conditions are not so bad with us as the quotations just made indicate them to be in my native State, but we should anticipate and seek deliverance from impending troubles similar in character. * * *

"I wish it to be clearly understood that I am in no wise opposed to legitimate corporations and to their proper operations. My former statements to you in this respect are here confirmed. I recognize that corporations are indispensable to certain important industries. * * *

"It is confidently believed that the three measures which accompany this message, if they shall become the law, will absolutely prevent the formation of monopolies by the combination of existing competing corporations or by the organization and operation of new corporations in fields which would otherwise be occupied by competing concerns.

"* * * My great solicitude to see effective legislation speedily enacted which will prevent the evils so universally recognized and justly condemned, will, I trust, be regarded as a sufficient reason for the earnestness with which I have expressed my desire for the adoption of the measures recommended. S. W. T. LANHAM, Governor."

In the Senate, February 6: Dissatisfaction having been expressed at the result of the drawing for short and long terms of Senators and rumors of unfairness having been circulated, Senator Hicks brought the matter to a focus by introducing the following resolution with a preamble [omitted here] reciting the foregoing facts:

"Resolved, That the Senate resolve itself into a Committee of the Whole, and that the officers conducting said drawing be brought before the bar of the Senate and sworn as in any court of justice, through and by the Lieutenant-Governor of this State, to make truthful statements of all matters connected with said drawing, within their knowledge, and to answer any and all questions propounded to them by any Senator present desiring to so examine them; and that any Senator present is hereby given the right to summon any witness or witnesses, which shall in like manner be sworn as in any court of justice, by and through the Lieutenant-Governor of this State, to answer any and all questions propounded by or under the direction of any Senator present, and that it shall be within the province of any Senator present to have any other Senator, now a member of this body, sworn as stated above, as in any

court of justice, by and through the Lieutenant-Governor of this State, to answer any and all questions propounded to him.

"That the Senate remain in a Committee of the Whole until said investigation is finished, and a vote taken upon sustaining any specific charges any Senator may desire to make on any evidence within his knowledge by this investigation; and that the President of the Senate be hereby authorized to select an expert stenographer to take down all testimony during said investigation."

The resolution was adopted by a vote of 27 to 1.

In the course of the investigation no evidence was adduced that substantiated the contention (or rather, rumor) that fraud had been practiced in the drawing. The entire incident was unfortunate, as it produced bad feeling. But for the wise, bold, and prompt action taken under the leadership of Senator Hicks (one of the long term senators) in demanding an immediate and exhaustive investigation, in which the Secretary, Sergeant-at-Arms, Lieutenant-Governor, and Senators testified under oath to all they knew, the Senate might have been divided into two hostile factions.

In the House, February 9: Invitation to visit Galveston, containing the following, accepted:

"The Navy Department has ordered a portion of the North Atlantic Squadron to visit Galveston, and the vessels are expected to arrive here on or about the 18th instant.

"The people of Galveston desire to extend an invitation to you, and through you, to the honorable members of the House of Representatives, to visit the battleships on Saturday, the 21st instant. Arrangements will be made, upon your arrival here Saturday morning, to convey the party, by tug boats, to the fleet.

"The cornerstone of the seawall will be laid on the morning of Monday, the 23rd instant, at which event your presence is earnestly desired.

"An oyster roast will be given in the afternoon and a promenade concert and dance will be held on the evening of the same day at the Garten Verein.

"Monday being a holiday, it is believed that your attendance can be arranged without interfering with the progress of legislation, as the party could leave Galveston Monday night.

"It is our wish that you further extend this invitation to such other persons connected with your department as you may desire."

In the Senate, February 10:

Senator Stafford presented a petition from Mollie Moore Davis Chapter, U. D. C., of Tyler, asking for the enlargement of the Confederate Home.

Senator Stafford also presented a communication from Mrs. R. O. Faires, of Flatonia, asking his co-operation, with others, to secure an appropriation for a monument over the Confederate dead in Chickamauga Park.

Senator Faulk presented a memorial from the members of Navarro

Chapter, U. D. C., of Corsicana (200 signatures), asking for liberal appropriations for the support of the Confederate Home, and an adequate appropriation for monuments "for the proper marking of the places in Chickamauga Park at which the Texas troops fought so bravely." [Numerous other petitions, variously signed, were presented on subsequent days.]

An invitation to visit Galveston on the occasion of the visit of the North Atlantic Squadron was accepted.

Senator Wilson submitted a petition from the Daughters of the Republic of Texas asking for an appropriation of \$3000 to pay balance due on the statue of Stephen F. Austin.

A number of other petitions, some favoring and others opposing bills, were introduced.

In the House, February 10:

Mr. Seabury (a Virginian by birth) presented to Speaker Neff a gavel in behalf of Robert D. Cutherell, of Virginia. After reviewing the history of Texas, past and present, he said:

"Among her warmest lovers is Mr. Robert D. Cutherell, of Portsmouth, Virginia, a man who, when he looks back over the seventy years of a well spent life, finds no recollection more pleasant than the days when, in the employ of the navy department, he put the labor of his mind and hands into the construction of that noble battleship that bears her proud name. The numberless petty accidents that befell that ship did not change his faith in her, nor induce him to join the popular clamor against her as poorly built and unlucky, and at last he lived to see his faith justified on that most glorious Sunday, the 3rd day of July, 1898, when, amid the thunder of her guns and under the battering of the American squadron, the pride of Spain went down with Cer- vera's fleet, and that bloody and golden flag, that had so long floated supreme over the Americas, ceased to flaunt its defiance in the face of liberty and progress.

"The war was over and the ships came home, the jackies laden down with trophies and mementos of that short but brilliant cruise. Mr. Cutherell secured from them a piece of a blockhouse in Cuba, destroyed by the shells of the Texas, and out of it carved the handle of this gavel. Out of a piece of the wood from which the steering wheels of the Texas were made, he fashioned the head. He placed upon it this silver star, the emblem of the Lone Star State. And he now, through me, presents it to you in trust, to be used by you and your successors in this high office, in the preservation of order and the despatch of the public business in this, the popular branch of the Legislature of the greatest State of the greatest Nation in the world."

Speaker Neff's felicitous response sustained his reputation as an orator gifted with the faculty of saying the right thing at the right time on all occasions.

"Mr. Kyle, by unanimous consent, offered the following resolution: 'Whereas, General Frederick D. Grant, a most distinguished son of the

Nation, and a patriotic soldier, now commander of the Department of Texas, with headquarters at Fort Sam Houston, is in the city, accompanied by his staff; therefore, be it resolved, that these distinguished gentlemen be invited to and tendered the privilege of this hall; and be it further resolved, that the membership of this House be requested to assemble in this hall at 3:30 p. m. today for the purpose of tendering a reception to these distinguished gentlemen.' The resolution was read second time, and was adopted."

The following committee reports relating to an appropriation for a Texas exhibit at the Louisiana Purchase Exposition, were submitted, and are reproduced here for the reason that they present most clearly the legal phases of the proposition involved, and furnish excellent reading:

"Hon. Pat M. Neff, Speaker of the House of Representatives. Sir: Your Judiciary Committee No. 1, to whom was referred a memorial of the Texas World's Fair Commission to the Legislature requesting an appropriation to 'make an exhibit at the Louisiana Purchase Exposition to be held in St. Louis in 1904, of the resources and prospects of the State of Texas,' for consideration and recommendation as to the question of the constitutionality of such an appropriation have had the same under consideration, and I am instructed to report it back to the House with the recommendation that an appropriation of this character would be constitutional, with certain limitations, as fully set forth in the report of a subcommittee appointed to investigate this question, which said subcommittee report is hereto attached and is adopted as the report of this committee to your honorable body. Green, Chairman."

"Report of Subcommittee.—Hon. John M. Green, Chairman of Judiciary Committee No. 1. Your Subcommittee of Judiciary Committee No. 1, to whom was referred the memorial of the Texas World's Fair Commission to the Legislature of Texas, asking for an appropriation of \$200,000 'to be expended in making an exhibit' at the Louisiana Purchase Exposition to be held in St. Louis in 1904, 'showing and presenting conditions, resources and the future prospects of the State in all branches of industry, history and education,' with instructions to examine into the constitutionality of such an appropriation, beg leave to report, as a result of our investigation, the following:

"1. In creating a legislative department and conferring upon it the legislative power, the people must be understood to have conferred the full and complete power as it rests in, and may be exercised by the sovereign power of the country, subject only to such restrictions as they may have seen fit to impose in their constitution, and to the limitations contained in the constitution of the United States. The legislative department is not made a special agency for the exercise of specifically defined legislative powers, but is entrusted with the general authority to make laws at discretion. (Cooley, Constitutional Limitations, p. 104.) Hence our examination is limited to a search for some provision of our organic law that expressly inhibits the appropriation in question, and in this examination we dismiss at once all consideration of the

Federal constitution, as also of any implied limitations in the State constitution. (Ordronaux, Constitutional Legislation, p. 206.)

"2. The only pertinent provisions in the constitution of Texas, relating to the purposes for which the public funds of the State may be used, as distinguished from the manner and period of appropriation and of disbursement, are the following:

"Article III, Section 48. 'The Legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the economical administration of the government in which may be included the following purposes, etc.'

"Article VIII, Section 3. 'Taxes shall be levied and collected by general laws and for public purposes only.'

"Article XVI, Section 56. 'The Legislature shall have no power to appropriate any of the public money for the establishment and maintenance of a bureau of immigration, or for any purpose of bringing immigrants to this State.'

"The last quoted section is so clearly limited to the specific case of the establishment and maintenance of an immigration bureau and of bringing immigrants into the State, that it can not affect the constitutionality of an appropriation for other public purposes, as hereinafter suggested.

"While the other sections mentioned by their terms refer only to the levying and collection of taxes and the imposition of burdens upon the people, we hold that the restrictions therein set out are not less binding upon the Legislature in its use and appropriation of moneys already collected, than upon its levy of taxes and imposition of burdens upon the people, as otherwise no effect could be given to them in cases where taxes are levied or burdens upon the people are imposed in general terms and without specific mention of the purposes for which the moneys are to be raised.

"In our view, the proposed appropriation, if for other purposes than those limited in said two sections, would be clearly unconstitutional.

"3. If we examine the said sections in the light of the very few decisions rendered under each of them, we find that, as to the purposes for which taxes may be levied (and money appropriated), they are identical in meaning, and that Section 48 of Article III merely amplifies and makes more certain what are the 'public purposes' mentioned in Section 3 of Article VIII, and that, taken together, they declare in express terms the most elementary and necessary of restrictions upon the taxing power, to wit: 'That taxation must be for public purposes only,' or, in other words, to raise revenue sufficient for the economical administration of the government.

"Section 48 of Article III further sets out a number of particular objects of appropriation, which the makers of the Constitution intended should be included beyond peradventure in the meaning of the expression 'economical administration of the government,' but their specific mention does not exclude others, as the context clearly shows. Legislative construction has followed this line of reasoning, and, without ex-

ception, every Legislature since the adoption of the Constitution has made appropriations for institutions and purposes that can, by no construction of language, be included in the specific purposes therein stated. Among these may be mentioned the recurring annual appropriations for the militia, for the Epileptic Asylum and the Orphan Home, for the enforcement of quarantine upon the borders of the State other than its coast, the recent appropriations, or donations of taxes, for the raising of grade in the city of Galveston, and a multitude of others.

"In this view of the effect of the specific mention of certain objects of appropriation in said section, the only question presented for our determination is, whether the appropriation in question is for a public purpose and one fairly included in the economical administration of the State government.

"4. It is difficult to define a public purpose in this sense, and equally difficult to exclude from this class any object of appropriation that may meet legislative approval. For it must be conceded that, in general, the proper authority to determine what should and what should not constitute a public burden is the Legislative department of the State. And in determining this question, the Legislature can not be held to any narrow or technical rule. (Cooley, Constitutional Limitations, p. 599.) A court would not be justified in declaring a tax void on this ground, unless the absence of all possible public interest in the purposes for which the funds are raised be so clear and palpable as to be perceptible by every mind at first blush. (Broadhead v. City of Milwaukee, 19 Wis., 624, 652.) To arrest the legislation of a free people in burdens self-imposed for the common good, is to restrain the popular sovereignty, and should have clear warrant in the letter of the fundamental law. (Stockton & V. R. Co. v. Stockton, 41 Cal., 173.)

"But if the enterprise is strictly private, although the public may reap some, even a great and certain, incidental benefit from it, the courts should not hesitate to set aside the tax levy or restrain the payment of the money appropriated, for to take the money of its citizens and bestow it upon any individual or appropriate it for a purely private purpose, would not be taxation, but confiscation or spoliation. (Desty, Taxation, Vol. 1, pp. 15-25; Hilliard, Taxation, 17.)

"It would not, however, make a tax or an appropriation objectionable under this head, should private individuals reap some benefit from it, if its purpose be, in general, public. (Taylor v. Ypsilanti, 105 U. S., 60, and other cases cited in Article 'Taxation,' in Vol. 25, Am. and Eng. Enc. of Law.) Thus, an appropriation to buy statuary and works of art to adorn a State capitol would be for a public purpose, although the artist would be necessarily, perhaps principally, benefited. So, too, of the establishment of a State library, museum, or State exhibit of historical, scientific, artistic, agricultural or mechanical objects and products.

"5. The advantages that Texas would derive from a proper exhibit
Raines—15.

and representation at an exposition of such worldwide attendance as that to be held at St. Louis, of its manifold resources and products, the advanced condition of its civilization, its magnificent provision for public education, the hospitality of its people and its laws to immigrant labor and capital, and its brilliant prospects for a more brilliant destiny, would be not merely in the line of opening wider markets for the products of its people, nor in the inducement of immigration into its borders, but rather in the stimulation of patriotism and State pride in its citizens, in the drawing together of those bonds of sentiment, as well as trade, that unite the people of the several States, in the improvement of our methods of agriculture, business, education and government by contrast and comparison with those of other States and countries, and in a dozen other things that can be better appreciated after the event than now predicted.

"It would further be a matter of State pride and public interest if, after the close of the exposition, the whole Texas exhibit should be installed at the capitol, or some other suitable place, as a permanent exhibit or museum of Texas products, industries and civilization. The establishment of such a museum, as the property of the State, would remove all possible doubt as to the public nature of such an appropriation as requested in the memorial, and would, of itself, justify a reasonable appropriation of the public moneys.

"6. It is a general principle of taxation, that the validity of a tax depends upon its ultimate use and object, and not upon the channel through which it is applied, and that a valid tax might be levied, collected, and used under the direction of an individual or private corporation. But we consider this principle to be limited, if not denied, by Section 51 of Article 3 of our constitution, which reads as follows: 'The Legislature has no power to make any grant or authorize the making of any grant of public money to any individual, association of individuals, municipal or other corporation whatsoever.' This section seems to prevent any appropriation of money, for whatever purpose, to any person, association of persons or corporation, if it take the form of a donation, grant or contribution. But it certainly would not prevent the appropriation of money out of the general revenue for the purpose of purchasing or otherwise assembling such an exhibit, to be the property of the State, and by the State, or under its authority, exhibited at St. Louis, or at any other place, or kept within the State as a permanent exhibit or museum.

"7. Referring to the action of former Legislatures of Texas upon similar propositions, we recall the fact that the Fifteenth Legislature refused to make an appropriation for the representation of the State at the Centennial Exposition at Philadelphia in 1876; that the Seventeenth Legislature refused to make a similar appropriation for the Atlanta Cotton Exhibition; but that the Eighteenth Legislature did appropriate twenty thousand dollars to assemble together and maintain at the

World's Industrial and Cotton Centennial at New Orleans in 1884 an exhibit of the resources, etc., of Texas, as the property of the State.

"The constitutionality of that appropriation was thoroughly discussed at the time, but after the appropriation was made, it was never questioned, so far as we have been able to ascertain.

"8. In conclusion, we report that an appropriation of this character would be constitutional, if made as herein indicated. We would not attempt to say what appropriation, if any, ought to be made, as that is beyond our present province, nor how an appropriation should be disbursed, save that the act of 1884, above referred to, might furnish a guide to safe and constitutional legislation. Respectfully submitted,
Seabury, Chairman of Subcommittee."

No appropriation was made, for the reason that appropriations thought to be absolutely needed to operate the State government and support State institutions not only exhausted all the estimated State revenue for the two years ending August 31, 1905, but exceeded it and forced the Governor to veto even items of that description.

In the House, February 12:

Courtesies of the House extended to the members of the Farmers' Congress.

"Mr. Nowlin offered the following resolution: 'Resolved, That when this House adjourns today it do so in honor to the memory of Abraham Lincoln, this being the ninety-fourth anniversary of the birth of that unique man of American history whom all nations call statesman, hero and martyr.' The resolution was read second time, and was adopted."

"Mr. Mulkey, by unanimous consent, offered the following resolution: 'Resolved by the House of Representatives, That the Speaker appoint a committee of three to notify the Farmers' Congress now in session in this city of the action of the House in tendering them this hall, and to formally receive said Farmers' Congress and turn over to them this hall this afternoon.' The resolution was read second time, and was adopted. The Speaker announced the appointment of the following committee: Messrs. Mulkey, Barrett, and English."

In the Senate, February 13:

The Chair announced the appointment of the following additions to committee to visit the Prairie View Normal:

Senators Hill, McKamy, Perkins, Cain and Hale.

In the House, February 16:

"Mr. Nicholson presented the following invitation to the House which was sent up to the Clerk's desk and read in full:

"Laredo, Texas, February 14, 1903.

"To the Hon. Speaker and Members of the Legislature, Austin, Texas.

"Gentlemen: On behalf of the Yaqui Tribe No. 59, I. O. R. M., and the city of Laredo, we cordially invite you to attend our approaching celebration of Washington's birthday, assuring you that the honor of your presence will be most highly appreciated, and that nothing will be left undone to make your visit pleasant.

"The principal attractions on the program are: Band concerts on the night of February 21st; roping contests on the 22nd, at 10:30 a. m.; bull fights in Nuevo Laredo on the afternoon of the 22nd. On Monday, the 23rd: 9 a. m.—Attack by Red Men on the city hall, capture of officials and the key of the city. 10 a. m.—Grand street parade. 2 p. m.—Roping contests. 5 p. m.—Bull fights in Nuevo Laredo. 8 p. m.—Fireworks and engagement between battleships on the Rio Grande.

"The roping contests and bull fights are not under the management of the committee, but are in competent hands, and we have the assurance that they will be fine exhibitions. Respectfully, Geo. R. Page, Chairman; Peter P. Leyendecken, Sec'y Celebration Committee; Amador Sanchez, Mayor of Laredo."

"On motion of Mr. Peeler, the invitation was accepted."

Senate, February 17: The following message from the House was presented by its Chief Clerk:

"Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 8, providing for a joint committee to negotiate a purchase by the State of McArdle's battle painting, 'The Battle of San Jacinto.'

"Whereas, The battle of San Jacinto, which occurred on the 21st of April, 1836, liberating Texas from the yoke of Mexican tyranny, is the most illustrious event in the history of Texas; and

"Whereas, The noted artist, H. A. McArdle, whose great historical painting 'Lee at the Wilderness,' was destroyed in the burning of the old capitol building in 1881, which was a total loss to the author, as well as an irreparable loss to the public, has spent nearly a score of years in gathering material and data in order to perpetuate on canvas the great victory at San Jacinto, and has devoted seven years to the execution of the work, and has completed said painting, which now, by permission of the Senate of the Twenty-seventh Legislature, hangs in the Senate chamber in the capitol building in the city of Austin; and

"Whereas, A wise public policy demands that the State of Texas should possess and keep in an appropriate place in the capitol building at Austin, a painting so valuable, not merely as a work of art, but as a treasury of Texas history not obtainable from books, and so well calculated to nuture and keep alive all the higher emotions of patriotism; and

"Whereas, This great painting may pass into the hands of other parties thereby putting it beyond the power of the State to possess it, which would be a great loss to this grand commonwealth; and

"Whereas, The author is preparing and has been for a long time gathering material and data to engage in the production of another great painting as a companion piece to this one, viz., 'The Fall of the Alamo,' and the sale of the 'San Jacinto Battle painting' would contribute materially to a successful completion of the former; therefore, be it

"Resolved by the House of Representatives, the Senate concurring, That a joint committee of ten be created consisting of five members of

the House and five members of the Senate, said committee to be appointed by the respective presiding officers of each house, whose duty it shall be to confer with the owner of said painting as to its purchase by the State, and to report the result of such investigation to the House and Senate, and to make such recommendations as said committee may see fit, with a view to incorporating in the general appropriation bill to be passed by this Legislature, an appropriation to purchase said painting, provided an understanding as to its purchase can be reached."

[Adopted by the Senate on the 19th, after striking out preamble and that part of the resolution beginning with the words "and to make such recommendations as said committee may see fit." No appropriation was made, as all available revenue was absorbed for other purposes. The next Legislature may be differently situated, and loosen the public purse strings sufficiently to provide for the purchase of this valuable work of art.]

Senate, February 18: Invitation from the student body of the University of Texas to participate in the celebration of the anniversary of the declaration of Texas independence in the auditorium of the University, March 2, 1903, accepted.

Senate, February 26;

Senator Lipscomb offered the following memorial:

"To the Honorable, the Members of the Twenty-eighth Legislature:

"Your memorialists, San Jacinto Chapter No. 2 of Harris county, is a division of the Daughters of the Republic of Texas, an association composed of the widows, wives and descendants of the early pioneers of Texas, who made the thrilling history of our State, and gave their lives and property in behalf of humanity and freedom, having for its aim and object the acquisition and perservation of historic spots and cultivating in the hearts of the living and coming generations a sentiment of noble and inspiring patriotism. The special work undertaken by your memorialists involved the purchase and proper care of the San Jacinto battlefield, and as a first essential step in this direction, in 1894, we addressed the Texas Veteran Association, asking that a committee of well informed members and participants in the battle be appointed to assist in defining accurately and authoritatively the boundaries of the battlefield. The result was that on the 4th of July, 1894, the following gentlemen accompanied San Jacinto Chapter to the battle-ground, and defined the boundaries, to wit: James M. Hill, L. C. Cunningham, S. F. Sparks, J. W. McHorse, J. W. Winters, James M. Harbour, Henry McCulloch, J. R. Fenn and F. R. Lubbock. The expenses of the trip were defrayed by San Jacinto Chapter.

"Afterwards, San Jacinto Chapter memorialized the Twenty-fifth Legislature for an appropriation to condemn and purchase 250 acres. The appeal was granted, and through a commission appointed by the Governor, 327 acres were purchased, embracing practically all of the battlefield except about ten acres fronting on the bayou. This particular tract being owned by a New York syndicate, the Commissioners could

not acquire, because of the fact that they were limited to pay not exceeding \$25 per acre, and the land on the bayou front was assessed beyond this figure. There were in all four separate bills to complete the purchase as made.

"After the State had secured the ground, the importance of designating and marking where the historic scenes of the battle took place, while survivors were living, was the next work of San Jacinto Chapter.

"Of the five living participants in the battle, only one was found able to undergo the fatigue of a visit to the field—Mr. J. W. Winters, of Big Foot, Frio county. Accordingly, on June 14, 1901, a committee from San Jacinto Chapter, accompanied by Mr. Winters, Hon. S. J. Hendrick, a San Jacinto Commissioner; Mr. J. W. Maxcy, civil engineer in behalf of the State; Mr. Geo. A. Hill, secretary for his father, Col. J. M. Hill, a San Jacinto Commissioner; and Mr. J. R. Fenn, who represented the Texas Veteran Association committee, rode very carefully over the battlefield and placed where the truth of history required, temporary iron markers, consisting of galvanized one-inch pipe, twelve feet in length, with a cross at the top, and driven in the ground to about nine feet, No. 1 designating the camp of General Houston, where he lay wounded under a tree, on the bank of Buffalo bayou, the spot where Santa Anna was delivered to him a captive. This marker is in the ten acres referred to above, and is not owned by the State. If acquired, condemnation must be exercised, as repeated efforts have been made to purchase from owners without avail.

"The following are within the boundaries of the State's property:
No. 2: Position of Twin Sisters on the 20th, during the cannon battle and cavalry skirmish.
No. 3: Camp of General Burleson's regiment.
No. 4: Camp of General Millard's regiment.
No. 5: Camp of General Lamar's regiment (cavalry).
No. 6: Camp of General Sherman's regiment.
No. 7: Line of Sherman's advance on the 21st. (b) Iron pipe on the line of Burleson's advance on the 21st. (a) Iron pipe on the line of artillery advance on the 21st. (M) Iron pipe on the line of Millard's advance on the 21st. (N) Double locust tree, Hockley's artillery advance on the 21st. Double oak marked X, position of Mexicans on the 20th, in Post Oak Grove. Iron pipe south of West Post Oak Grove, near old Sowell homestead, in shell bed, where cavalry fought on the 20th.
No. 8: Iron cross south end of Mexican breastworks, and cavalry engagement on the 21st.
No. 9: Where Houston was wounded and lost his first horse, killed from under him.
No. 10: Iron cross, Mexican cannon.
No. 11: Iron cross north end of Mexican breastwork.
No. 11½: Iron pipe, cast iron cross No. 10, where General Santa Anna had his hammock swung, supported by four brass posts.
No. 12: Iron cross where Mexicans were captured, including General Almonte, in a grove across the Santa Anna slough, where the dead Mexicans and horses made an effective pontoon bridge for over one hundred yards.

"These iron markers should be replaced by stone tablets.

"The expenses of this trip, too numerous to mention, were borne by

San Jacinto Chapter, and the members individually managed to the best of their ability in behalf of Texas and its history.

"Thus far our work has been successfully accomplished, but much yet remains to be done before it can be said that Texas has evinced an adequate realization of her obligation to history. After the lapse of sixty-seven years, the battlefield of San Jacinto stands in its primitive grandeur, wild in high grass and tanglewood. Its groves of beautiful trees are being cut away by the vandal. Surrounding residents, regardless of color, claim and use it as a 'potters field.' Ye sons of Texas! let not this condition remain; unlock your coffers, and decree honor unto San Jacinto, ere it is too late to preserve the identity of the ancient landmarks which played such a strategic part in that memorable struggle. Enshrined in song and story will live this historic field, and the sentiment of a few to-day will be that of thousands in the years to come. San Jacinto Chapter requests that you not wait longer, but crown their labors with success, by giving them your moral and financial support. They ask no craven gift. They have a right to expect that a part of what their forefathers won should be expended on its birth place to save it from destruction. At San Jacinto they won an empire, and could have divided it among themselves and each had a kingdom; and who would have said unto them 'Nay'? With that which by their valor they won, they endowed a nation, and to your honorable body, the representatives of that nation, your memorialists respectfully come with this petition, and earnestly ask that you approve, as recommended by ex-Gov. Sayers in his last message, that the San Jacinto battlefield be inclosed and necessary improvements be made; that the sum of \$25,000, or as much thereof as may be necessary, be appropriated out of any money in the State treasury not otherwise appropriated, for inclosing, improving, ornamenting, and the proper protection of the three hundred and thirty-seven acres of land owned by the State in Harris county, Texas, known as the 'San Jacinto battlefield,' under such restrictions as to you may seem right and proper.

"Hands that can be generous, hearts that are loyal, grant this appeal and let not the fires of patriotism dwindle into the ashes of forgetfulness. Respectfully submitted, Mrs. J. J. McKeever, Jr., president; Miss Nelly S. Cox, secretary."

Senate, February 27: By Senator Hicks—Senate Concurrent Resolution No. 9:

"Whereas, The Twenty-first Legislature of this State, by House Concurrent Resolution No. 4, approved February 25, 1889, Session Acts, page 173, extended the thanks of the people of Texas to Messrs. W. H. Westfall, G. W. Lacey and N. L. Norton for the 'princely donations of the beautiful granite of which this capitol is built;' and,

"Whereas, It was therein resolved that 'a room in this capitol building be set apart for the reception' of deposits to be made by said 'Westfall, Lacey, and Norton of specimens of granite, marble and lithographic stone of different grades,' and,

"Whereas, It was also therein resolved that in recognition of our appreciation of the donations thus made by W. H. Westfall, G. W. Lacey, and N. L. Norton, they are hereby especially invited to visit and occupy said room when they visit the capitol during life or until the State shall need the room for other purposes; and,

"Whereas, Said room has never been designated; and,

"Whereas, The Daughters of the Confederacy are desirous of having the room in the capitol designated in which to place the relics of the Confederate and other wars in which this State took part; and,

"Whereas, It is the wish of the said Col. N. L. Norton and his said associates that said room be designated, and that the Daughters of the Confederacy be permitted to place said relics in said room, and to care for, protect, and exhibit the same. Now, therefore, be it

"Resolved by the House of Representatives, the Senate concurring:

"Section 1. That the northwest room on the first floor of the capitol building, formerly occupied by the purchasing agent of the State, be and the same is hereby set aside for the uses and purposes aforesaid, and that in addition to the deposits made and to be made under said original concurrent resolution, that the Daughters of the Confederacy of the State of Texas be and they are hereby authorized to take charge of said room and use the same conjointly with the said Westfall, Lacey and Norton, for all of the purposes aforesaid."

Read, and referred to Committee on Public Buildings and Grounds, and later adopted by both houses and approved by the Governor.

Mr. Williams presented the following invitation, which was read to the House and accepted:

"Fort Worth, Texas, February 20, 1903.—Hon. Pat M. Neff, Speaker, Austin, Texas. Dear Sir: The undersigned committee, appointed for that purpose by the Fort Worth Board of Trade, cordially invite you, and through you, the House of Representatives of the Twenty-eighth Legislature, to be present in this city, on Friday, March 6th, to participate in the ceremonies at the opening of the packing houses of Swift & Co. and Armour & Co., which will take place on that day.

"These mammoth enterprises, although located at Fort Worth, are none the less State enterprises, in the benefit arising from which the entire State will participate.

"The people of Fort Worth will greatly appreciate the attendance of your honorable body on that occasion, and you are cordially and earnestly requested to be present. Yours respectfully, B. B. Paddock, A. J. Long, W. G. Turner, committee."

House of Representatives, March 2: Mr. Terrell of Travis moved that the House adjourn until tomorrow at 9:30 o'clock a. m. in honor of Texas Independence day, and, on request, submitted the motion in writing, which is as follows:

"On this natal day of Texas independence the cornerstone of this capital was laid. Today every school in Texas is closed and every bank is closed in honor of Texas independence. Every department in this

capitol is closed, while we, regardless of the law which makes this a holiday, are here transacting business. It is wrong. I regard it as a desecration of the day, and move that we adjourn until tomorrow at 9:30 o'clock."

Defeated by a vote of 59 to 41. Those voting no gave as a reason for their action the great amount of pending business to be disposed of.

A motion by Mr. Seabury that when the House adjourned for the day, it be in honor of Texas Independence day, was adopted by a vote of 73 to 19.

Judge Terrell voted no. His reason therefor was spread on the journal as follows: "I vote 'no.' I regard it as a mockery after working all day to adjourn in honor of the day. After desecrating the day, I regard it as grossly inconsistent to talk about honoring it. Terrell of Travis."

Mr. Rochelle, by unanimous consent, offered the following resolution:

"Whereas, The 2d day of March is the anniversary of Texas independence, and in order to commemorate and to refresh our minds of her early struggles of self-government; therefore, be it

"Resolved, That the reading clerk read to the House of Representatives assembled the Declaration of Texas Independence as declared by the people assembled in general convention in the town of Washington, March 2, 1836; and be it further

"Resolved, That an invitation be extended to the senior member from Travis, Hon. A. W. Terrell, to address the House of Representatives on the importance to the people of Texas of an observance commemorating the anniversary of our independence; and be it further

"Resolved, That a like invitation be extended to any other member of this body. (Signed) Rochelle, Bryan, Bolin."

The resolution was read the second time, and was adopted.

The Texas Declaration of Independence was then read to the House by Lee Satterwhite, assistant and acting reading clerk, the document having been furnished by Mr. Bryan, and was listened to attentively throughout.

At the conclusion of the reading there were loud calls for Hon. A. W. Terrell, who had been invited by the resolution to address the House.

Mr. Terrell, of Travis, at the request of the speaker and the members, addressed the House from the speaker's stand. Messrs. Duff, Cunningham, Stell, J. Ras Jones, Middlebrook, Green, Huling P. Robertson, and Dr. Wm. L. Prather, president of the University of Texas, also delivered addresses from the speaker's stand, in response to resolutions and calls from the House.

Use of the hall on a specified night was tendered for the delivery of lectures by gentlemen from Illinois, Iowa, Wisconsin, and Michigan, on dairying. The party was invited to Texas by the Southern Pacific Railway Company and was then making a tour of the State.

Mr. Napier called up from the Speaker's table the following resolution:

"Whereas, The Democratic platform declares against the practice of

displacing clerks and employes of the various departments to make room for relatives or political adherents; and,

"Whereas, Nepotism is a growing evil in our State government; therefore, be it

"Resolved, That the heads of all State departments, eleemosynary and penal institutions are hereby requested, if not incompatible with the public interest, to furnish to this House at their earliest convenience, under oath, a statement of the number of employes in their respective departments or institutions who are related, either by affinity or consanguinity, to said chief, or heads of such departments or institutions, together with the amount of salary said clerks and employes receive. Also, that this sworn statement shall contain similar information as to clerks and employes who are related in the same manner to the heads of other departments or institutions of the State government.

"That the Chief Clerk of the House be and is hereby instructed to furnish the various heads of departments and State institutions with a copy of this resolution, properly attested by the Speaker of the House.

"That all information upon this subject received from the various officials herein enumerated shall be printed in the journal of the House. (Signed) Calvin, Napier, Trice."

It was amended so as to include the Railroad Commission, Superintendent of Public Buildings and Grounds, and the Legislature, and was adopted.

Senate, March 4: The following communication was presented by Senator Davidson and ordered printed in the journal:

"PALESTINE, Texas, February 14, 1903.

"Hon. A. B. Davidson, Austin, Texas:

"My Dear Senator and Friend.—I see by the newspapers that you have interested yourself by getting my name given to a new county. For this please accept my sincere thanks.

"While thanking you for the kindness, I hope you will excuse me for mentioning another matter. I have been informed that the last Legislature appropriated \$10,000 to pay for statues of General Houston and Stephen F. Austin, to be sent to the statuary hall of the capitol at Washington, as the contribution of Texas to that collection of statues of distinguished Americans, and I am told that duplicates of the statues now in Austin are to be sent. It was praiseworthy in the Legislature to provide for statues of two such distinguished citizens of our State, but surely the members could not have meant that the one representing General Houston should be sent there as reflecting the taste or sentiment of the people of Texas. And I hope my information in this respect may be incorrect. Surely no member of General Houston's family or real friend of his could wish to see him exhibited in that great collection of statues at the only period of his life of which neither he or his family or real friend can feel proud. Should he who had been Governor of the State of Tennessee, general of the armies which won the independence of

Texas, was twice President of the Republic of Texas, three times sent by Texas to the United States Senate, and afterwards Governor of this great State, be represented by such a travesty as the one in our capitol presenting him in the garb of an Indian with a leather hunting shirt, and (instead of a bow and arrow for the sake of unity of design) with a sword to accompany the hunting shirt? His great character was that of a soldier and a statesman, and not of an Indian.

"In the name of justice, of honor, and of good taste, and because of our appreciation of the memory of this great and distinguished general, statesman, and citizen, as one citizen of Texas I protest against the outrage upon Houston's memory of sending this thing to Washington.

"Very sincerely, your friend,

(Signed) "JOHN H. REAGAN."

House of Representatives, March 4: Resolution providing for the question of holding a constitutional convention being submitted to a vote of the people, killed.

Senate, March 6: House Concurrent Resolution No. 15, entitled, "An Act to apply to Congress for an amendment to the Federal constitution for the electing of United States Senators by the direct vote of the people," adopted.

House, March 6: Mr. Callan offered the following resolution:

"Whereas, To-day is the sixty-seventh anniversary of the fall of the historic Alamo, where 183 brave Texans were sacrificed on the altar of liberty that their posterity might be free men and women; therefore be it

"Resolved, That when the House adjourns to-day, it be until Monday morning, at 9:30 o'clock, in honor of the memory of the noble men who died trying to set Texas free. (Signed) Callan, Cobbs, Onion."

The resolution was read the second time. Mr. Browne, of Karnes, moved to amend the resolution by striking out the word "Monday" morning and inserting in lieu thereof the word "tomorrow." The amendment was adopted, and the resolution as amended was adopted.

House, March 12: An invitation extended by President D. F. Houston to visit the Agricultural and Mechanical College, March 14th and 15th, was accepted.

Mr. Kyle offered the following resolution: "House Concurrent Resolution No. 20, indorsing Hon. Joseph D. Sayers for the position of a commissioner on the Isthmian canal commission, and recommending his appointment to the President of the United States for that position:

"Whereas, The President of the United States is authorized to appoint seven commissioners who will have charge of the construction of the Isthmian canal, which is to unite the waters of the Atlantic and Pacific oceans; and,

"Whereas, The State of Texas is perhaps more directly interested in, and will be to a greater extent benefited by, the construction of said canal than any other State in the Union; and

"Whereas, Hon. Joseph D. Sayers, as Governor of the State of Texas,

and while a member of the committee on appropriations in Congress, and as chairman thereof, demonstrated his peculiar fitness for the character of work which will devolve upon a member of said commission; therefore, be it

"Resolved by the House of Representatives of the State of Texas, the Senate concurring.

"Section 1. That we most earnestly commend to the President of the United States the appointment of Gov. Sayers as one of the commissioners on the Isthmian canal commission.

"Section 2. That a copy of this resolution, properly authenticated, be transmitted to the President of the United States. (Signed) Seabury, Mulkey, Napier, Isaacks, Schluter, Love, Murrell, Shannon, Boyd, Murray of Burleson, Hodges, Griggs, Alderdice, Peeler, Woods, and Kyle."

The resolution was read the second time and was adopted.

A joint resolution of similar purport, introduced by Senator Stafford, was adopted by the Senate, March 12. On the same day Senator Stafford called up the House resolution on the subject (immediately upon its transmission to the Senate), and, on his motion, it was unanimously adopted.

Senate, March 13: Resolutions adopted, and memorial page set apart in the journal in honor of the memory of Gen. J. G. McDonald, Sr., whose death occurred at Anderson, Grimes county, March 11, 1903.

March 19: Courtesies of the Senate and House extended to Mr. Gus Wilke, the contractor who built the present State capitol.

Mr. Glenn, by unanimous consent, offered the following resolution: "Whereas, Luther R. Hare, colonel of the Thirty-third United States Infantry in the Philippines during the present war with those islands, later a brigadier general, rescuer of Gilmore, and a distinguished citizen of Texas, is now in the city; therefore, be it

"Resolved, That the privileges of the House be extended to General Hare and that he be invited to a seat within its hall. (Signed) Glenn, Standifer."

The resolution was read the second time, and was adopted.

House, March 20: Mr. Standifer offered the following resolution: "Resolved by the Legislature, That a committee of five is hereby appointed to attend the annual encampment of the Texas Volunteer Guard, without expense to the State, and report to the next session of the Legislature the condition of the Guard and the manner in which these camps are conducted, and other useful information such as they may deem proper concerning the welfare of the militia of the State. (Signed) Holsey, Hagan, Standifer."

The resolution was read the second time, and adopted.

Mr. Robertson of Bell, by unanimous consent, offered the following resolution:

"Whereas, Capt. Richard Pearson Hobson, the hero of the Merrimac, will arrive in the city this afternoon; therefore, be it

"Resolved, That he be invited to visit and accept the hospitalities of the House of Representatives and that the Speaker appoint a committee of three members of the House to join the University reception committee at the train and escort the distinguished gentleman to the hall of the House of Representatives. (Signed) Robertson of Bell, Mulkey."

The resolution was read the second time, and was adopted.

In accordance with the above resolution the chair announced the appointment of the following committee: Messrs. Robertson of Bell, Mulkey, and Standifer.

On motion of Messrs. Murrell, Roberts, and Rowland, resolutions in memoriam on the death of A. B. Manion, of Cooke county, a former member of the Texas Legislature, were adopted.

House, March 25: Mr. Ponton, by unanimous consent, offered the following resolution:

"Whereas, The Hon. Geo. F. Burgess, congressman from the Ninth District of Texas, is in the city; and,

"Whereas, He is the gallant Democrat who rescued the old Tenth District from Republicanism; be it

"Resolved, That he be invited to a seat on the floor of this House and be extended all its courtesies during his stay in the city. (Signed) Green, York, Browne of Karnes, Hagan, Ponton, Adair."

The resolution was read the second time, and was adopted.

Senate, March 26: Courtesies of the Senate extended to Congressman J. Gordon Russell. [A resolution to the same effect was adopted by the House.]

House, March 26: Mr. Wooten, by unanimous consent, offered the following resolution:

"Whereas, Camp John B. Hood, United Confederate Veterans, has selected the 16th day of April as the date for holding the ceremonies incident to unveiling the monument to the Confederate dead; therefore, be it

"Resolved by the House of Representatives, That the use of the Hall of Representatives be and is hereby tendered to said camp for its ceremonies on the date mentioned. (Signed) Standifer, Wooten, Schluter, Green, Browne of Karnes."

The resolution was read the second time, and was adopted.

Senate, March 28: Courtesies of the Senate extended to Congressman Thomas H. Ball.

"AUSTIN, Texas, March 28, 1903.

"Hon. George D. Neal, Lieutenant Governor, and the Senate:

"Gentlemen.—On April 16, 1903, John B. Hood Camp, U. C. V., at Austin will unveil a monument to the memory of the Confederate dead, in the capitol grounds in Austin, Texas, and I am directed by said camp to extend you a cordial invitation to attend the ceremonies.

"The monument itself is built of granite and bronze, and will for

ages commemorate the valor of the Southern soldier, and your presence will be highly appreciated by the thousands of soldiers who we hope will answer 'present' on that day. Respectfully,

"C. G. CALDWELL,

"Chairman Invitation Committee, John B. Hood Camp, No. 103,
U. C. V."

On motion of Senator Lipscomb the invitation was accepted.

A similar invitation was extended to the House of Representatives, and was accepted.

Senate, March 31: Senator Morris offered Senate Concurrent Resolution No. 16, requesting the Governor and State Superintendent of Public Instruction to confer with the trustees of the Peabody fund in regard to their publicly announced intention of considering the advisability of concentrating the Peabody fund for the establishment and maintenance of a teachers' college. The resolution was read, and on motion of Senator Henderson, was adopted.

Senator Savage offered the following resolution:

"Whereas, Hon. Joseph W. Bailey, the distinguished Senator from Texas, is in the city, be it

"Resolved, That he be invited to a seat in the Senate, and extended its courtesies during his stay in Austin."

The resolution was unanimously adopted.

On motion of Senator Beaty, the courtesies of the Senate chamber were extended to the officers for the purpose of presenting certain mementoes. Senator Hanger presided. Eldred McKinnon, enrolling clerk, in behalf of the officers, clerks, and pages, presented Lieut. Gov. Neal with a handsome umbrella. Clyde D. Smith, secretary of the Senate, acting as their spokesman, presented President Pro Tem A. B. Davidson with a fine cane. The speeches of presentation and acceptance were well conceived and added a tinge of pleasant, kindly interest to the closing scenes of the regular session in the Senate.

House, March 31: Resolution adopted congratulating Hon. Huling P. Robertson upon his appointment as aide-de-camp on the staff of Gov. Lanham with the rank of lieutenant colonel.

Resolution adopted inviting Hon. J. W. Bailey within the bar of the House and to a seat on the speaker's stand. Messrs. Peeler, Ponton, and Gibbs, a committee appointed for the purpose, escorted Mr. Bailey to the stand.

The speaker announced the appointment of the following committees: Under the provisions of a resolution adopted by the House March 20, 1903, providing that a committee of five be appointed to attend the annual encampment of the Texas Volunteer Guard: Messrs. Green, Trice, Brelsford, Ramsey, and Timon.

Under the provisions of a resolution adopted by the House March 28, 1903, providing for a committee of three to visit the commencement exercises of the Denton Normal and a committee of three to visit the com-

mencement exercises of the Sam Houston Normal: To visit the Denton Normal, Messrs. Mulkey, Stokes and Ware; to visit the Sam Houston Normal, Messrs. Nelms, Glenn and Calvin.

Senate, April 1: Invitation presented to attend the dedication exercises of the F. L. Carroll and George W. Carroll science hall and chapel buildings at Baylor University, Waco, Texas, April 19-21, 1903.

The chair (Lieut. Gov. Neal) announced that as the hour for sine die adjournment was drawing near, he felt the election of a president pro tempore was in order, under the constitution.

Senator Hill placed in nomination Senator R. V. Davidson, of Galveston, saying:

"Mr. President and Gentlemen of the Senate.—By the terms of the Constitution this body is required at the beginning and close of each session to elect from among its members a president pro tempore. When we assembled here at the beginning of the session now about to close, our minds intent upon the duties and responsibilities devolving upon us as members of this Senate, we elected to this high position a Senator worthy, competent and faithful, and subsequent events have fully demonstrated that we made no mistake in the selection. At the close of the session, when our minds revert to the past and our memories recall only the pleasant associations, warm friendship and tender ties binding us to each other, we are again called upon in obedience to the commands of the constitution to elect one of our members to that high and honorable position. In doing this, Mr. President, it is my pleasant privilege to place in nomination a Senator whose courtly and courteous manner, kind, genial and generous nature, has endeared him to every member of this body, one whom we know but to love and honor. I place in nomination the Senator from Galveston, the Hon. R. V. Davidson."

The nomination was seconded by Senators Savage and Hanger. There being no other nominations, the chair declared the nominations closed and directed the members to prepare their ballots. The chair appointed Senators Faulk, Harper, and Decker to count the vote and act as tellers. There being twenty-eight votes cast for Senator Davidson, of Galveston, he was declared duly and constitutionally elected president pro tempore, and the chair appointed Senators Hill and Savage to escort Senator Davidson to the chair. On assuming the chair, the president pro tempore-elect said: "Gentlemen of the Senate.—Having been admonished by the Lieutenant Governor that the hour for final adjournment has about arrived, the opportunity is denied me to express in appropriate language my appreciation for the high honor conferred in selecting me for the office of president pro tempore of the Senate.

"Knowing my unfamiliarity with parliamentary law and practice, I feel that your selection was but an expression of your friendship for me, which I highly appreciate.

"Again I thank you, one and all for the honor conferred."

At the conclusion of the president pro tempore's remarks, Senator Martin said: "Mr. President: I move the president appoint two com-

mittees of three members each to notify his excellency, Gov. S. W. T. Lanham, and the House of Representatives that the Senate has completed the work of the session, and is ready to adjourn."

The motion prevailed, and in compliance therewith the chair (Lieut. Gov. Neal) appointed Senators Hill, Savage, and Faust to inform the Governor, and Senators Martin, Faulk, and Henderson to inform the House of Representatives.

Senator Wilson offered the following resolution:

"Whereas, The press corps of the Twenty-eighth Legislature, to wit: W. D. Hornaday, San Antonio Express; Thos. Finty, Jr., Galveston-Dallas News; Asher G. Smoot, Austin Statesman; C. Arthur Williams, Houston Post; George Mendell, Jr., Houston Post; J. A. Fernandez, Statesman, Register, Times-Herald; Harry Haynes, Statesman; Fred Robinson, Times-Herald (Waco); R. A. McLaughlin, Austin Tribune; Chas. G. Norton, House combination reporter for Galveston-Dallas News, Express and Post; William M. Thornton, Senate combination representative,

"Reporters of the routine proceedings for various leading papers of the State, have faithfully and with care and impartiality reported the proceedings of the Senate, and have in their writings always exhibited an honest and high-toned journalism, and in their personal conduct, manliness and courtesy; therefore, be it

"Resolved, That the Senate extend to these gentlemen its sincere thanks and cordial appreciation of their work, and that this resolution be printed in the Journal, and a list of their names, and the papers which they represent, be printed as an appendix to the journal. (Signed) Wilson, Paulus, Martin."

The resolution was read the second time, and was adopted.

At this point Senators Martin, Faulk and Henderson, the committee to notify the House of Representatives that the Senate had finished its labors and was ready to adjourn, appeared at the bar of the Senate, and, speaking through Senator Martin, informed the Senate they had discharged their duties.

Judge N. A. Cravens, private secretary to his excellency, the Governor, was announced at the bar of the Senate, and presented the following messages from the Governor:

"Executive Office, State of Texas,
Austin, Texas, April 1, 1903.

"To the Legislature:

"It gives me pleasure to be able, in the closing hour of your regular session to congratulate your honorable bodies and the people of our State, upon the patriotic and efficient manner in which you have discharged the onerous duties which have devolved upon you. Many useful and necessary measures have, and will become laws through your efforts. I regret that, owing to the fact that you have found it impracticable to enact certain indispensable legislation it will become necessary that I

shall reconvene you in extraordinary session; but the diligence which you have heretofore manifested in your legislative work affords ample assurance that you will, with the same industry, prosecute and complete the additional matters to which your attention will be invited. I am exceedingly gratified that our relations have been so pleasant and harmonious, and I avail myself of this opportunity to thank you collectively and individually for the generous support and guidance which you have so uniformly extended me.

"S. W. T. LANHAM,
"Governor."

Senator Hill, accompanied by Senators Savage and Faulk, the committee appointed to notify the Governor that the Senate had completed its labors and was ready to adjourn, appeared at the bar of the Senate, and, speaking through Senator Hill, reported they had discharged their duties and that the Governor had no further communication than embraced in his foregoing message.

The following members of the House of Representatives, Messrs. Love, Stollenwerck and Moran, appeared at the bar of the Senate and announced that the House of Representatives had completed its labors and was ready to adjourn.

Senator Wilson offered the following resolution:

"Whereas, The present operator of the capitol elevator, Henry Almar, has been uniformly courteous to the Senators, and especially so to our colleague, Senator R. W. Martin, therefore, be it

"Resolved, That the Senate extend to him its thanks for such courteous treatment."

The notification committees having made their reports, the chair announced the hour of 12 o'clock, noon, the time set for sine die adjournment, had arrived, and, in accordance with the concurrent resolution previously adopted, pronounced the regular session of the Twenty-eighth Legislature adjourned without day.

House, April 1: By permission of the House the pages, through Jesse Blalock, one of their number, presented the Speaker a pair of gold cuff-buttons, which the Speaker accepted with appropriate thanks.

Mr. Mulkey, for the postmaster and assistant postmaster of the House, presented the Speaker a Bible, which the Speaker accepted in a few well chosen words.

Mr. Love, for the members of the House, presented a watch to the Speaker with suitable remarks. Speaker Neff, in accepting the watch, said: "After Victor Hugo had filled and thrilled the world with the noblest thoughts and truest sentiments that ever decorated or adorned the literary page, he is reported to have said that his divinest thoughts and sublimest sentiments had never been expressed because there were no words known to the vocabulary of man by which to express them. Standing to-day at the parting hour of this session, looking into the up-

turned faces of those before whom I have stood as a presiding officer, holding in my hand this beautiful and valuable token of your respect and esteem, and having just listened to the touching words of one who spoke as your representative, I also, in expression of my feelings of gratitude and appreciation, realize the inadequacy of human speech.

"In the discharge of the onerous and inexorable duties of Speaker, I am, in coins of gratitude that can never be repaid, debtor to you all for your kind, considerate and co-operative aid. My faults, I am sure, have been many, for at all times I have fallen far below my own ideals. Upright and fearless, however, before the bar of my own conscience, I can stand, happy in the realization that at all times I have done my best, and at no time, from my own point of view, have I ever shirked a responsibility or failed to discharge a duty.

"As much as I appreciate this generous gift, which shall be by me handed down to coming generations as a sacred legacy, yet, towering far above and beyond this appreciation, is my appreciation for the courtesy and cordial treatment which each member of the House has accorded me from the hour of our organization. I know from observation and experience the trying ordeals of the one who occupies the Speaker's chair, and it is, indeed, gratifying to me to know that there has not been an unpleasant incident during this session, and there is not a member of this House toward whom I entertain the least unfriendly spirit, and if there is a single member of this House who is not my friend, I do not know it. As the ocean shell, though removed to distant mountain cliffs, holds forever the song it caught while it had its habitat in the sea, so, whatever pathway I may follow, locked within the halls of memory shall be forever an affectionate recollection of the pleasant associations which have here ripened into enduring friendship.

"Again thanking you for this present, the most beautiful watch I ever saw, for your courtesy and the honor you have done me, I hope your lots will all fall along pleasant pathways, and that when at last you stand beneath the golden glow of life's setting sun, each of you can say:

"Life's race well run,
Life's deeds well done,
Life's crown well won."

Dexter Hamilton, one of the committee clerks of the House, for his associates, the officers and clerks, presented the Speaker a watch charm, which was gracefully acknowledged.

Mr. Shannon, for the porters of the House, presented the Speaker a nice umbrella, which was accepted in words that greatly pleased the donors.

Mr. Schluter offered the following resolution:

"Be it resolved by the House of Representatives, That we extend our thanks to the Hon. Pat M. Neff for the courteous, manly, fair, and impartial manner in which he has presided over the deliberations of this

law-making body. That we recognize in him a Democrat of sterling worth and a presiding officer of marked ability. That we congratulate ourselves on having had the honor to serve in the Legislature of our State under a Speaker so fair, honest and conservative; and that we congratulate the State of Texas on having had at the head of her law-makers a man of such unswerving devotion to duty and a Democrat of whom our party has reasons to be proud. Be it further

"Resolved, That a separate page of the journal be set apart for this resolution. (Signed) Schluter, Mulkey, Grisham, Love, Brelsford."

The resolution was read the second time. Mr. Schluter moved its adoption by a rising vote. The chair put the question—shall the resolution be adopted? The resolution was unanimously adopted by a rising vote.

(Speaker in the chair.) On motion of Mr. Mays, the journal clerk was requested to secure the remarks of Mr. Schluter in speaking to the above resolution for publication in the Journal.

Mr. Napier offered the following resolution:

"Resolved, That two committees of three members each be appointed to notify the Governor and the Senate that the House is now ready to adjourn and will receive any communications they may be disposed to make."

The resolution was read the second time, and was adopted.

In accordance with the above action, the chair announced the appointment of the following committees: To notify the Governor—Messrs. Napier, Grisham and Crawford of Robertson. To notify the Senate—Messrs. Love, Moran and Stollenwerck.

A committee from the Senate appeared at the bar of the House and, being duly announced, stated that the Senate had about completed its labors and was ready to adjourn sine die in compliance with a concurrent resolution adopted by both houses.

A message from the Governor was received and read (same as that sent to the Senate).

Mr. Napier, chairman of the committee to notify the Governor that, in accordance with a concurrent resolution adopted by both houses, the House of Representatives of the Twenty-eighth Legislature was about ready to adjourn sine die and would be pleased to receive any communication he might see proper to convey, with the committee, appeared at the bar of the House, and being duly announced, stated, for the committee, that they had performed the duty assigned them.

Mr. Love, chairman of the committee to notify the Senate that the House was ready to adjourn sine die, appeared with the committee at the bar of the House, and, being duly announced, stated that they had performed the duty assigned them.

While Mr. O'Quinn was speaking to a point of order raised by him, Mr. Chesley also attempting to be heard, Speaker Neff resumed the chair, and called the attention of the House to the fact that the hour,

12 o'clock meridian, set apart by both houses for sine die adjournment had arrived. He then announced that by virtue of the authority vested in him as Speaker of the House of Representatives of the Twenty-eighth Legislature, the House stood adjourned without day.

A paper returning thanks to representatives of the press and signed by all the members present was filed with the journal clerk and, by direction of the Speaker, published in the Journal.

The following, also, was filed with the journal clerk and, by direction of the Speaker, made a part of the Journal:

"Whereas, The members and officers of the House of Representatives have been tendered and enjoyed the grateful and splendid services of the Western Union Telegraph Company, the Postal Telegraph and Cable Company and the Southwestern Telephone Company, gratis; and,

"Whereas, The employes and servants of said companies have been extremely courteous and pleasant to the members and officers of this House, and particularly the young ladies in the telephone exchange; now, therefore, be it

"Resolved, That a vote of thanks be and is hereby tendered to the above said companies, and especially to the employes thereof, for the kindness and courtesies extended. (Signed) Griggs, Low, Schluter."

FIRST CALLED SESSION OF THE TWENTY-EIGHTH LEGISLATURE.

The Senate and House reconvened in called session at 12 o'clock, noon, April 2, 1903, in obedience to the following proclamation:

"Executive Office, State of Texas.

"I, S. W. T. Lanham, Governor of the State of Texas, by virtue of the authority vested in me by the constitution, do hereby call a special session of the Twenty-eighth Legislature to convene in the city of Austin, beginning at 12 o'clock meridian, Thursday, April 2, 1903, for the following purposes, to wit:

"1. To make appropriations for the support of the State government and for the public service for the fiscal years beginning September 1, 1903, and ending August 31, 1905.

"2. To make provision for refunding or paying off the State bonds which will mature before the first day of January, 1905.

"3. To make provision for resurveying and establishing the boundaries between the State of Texas and the Territories of New Mexico and of Oklahoma.

"4. To make provision for furnishing an adequate supply of water and light for the various State institutions and public buildings located at the capital.

"In witness whereof, I have hereunto set my hand and caused the seal of State to be affixed at Austin, this the first day of April, A. D. 1903.
(Signed) "S. W. T. LANHAM, Governor."

"By the Governor:

"J. R. CURL, Secretary of State."

Senate, April 2: Senators Hicks, Douglass, and McKamy were appointed a committee to notify the Governor of the organization of the Senate, and Senators Decker, Faubion and Harper a committee to notify the House of said organization. These committees discharged the duty assigned them and reported. A committee from the House reported the organization of that body. The following message was received from the Governor:

"Executive Office, State of Texas,
Austin, Texas, April 2, 1903.

"To the Senate and House of Representatives:

"The proclamation which assembles you in Special Session designates four different subjects for your consideration. They are manifestly important and require prompt action.

"The fourth and last matter presented, viz., sufficient water and light supply for our State institutions at Austin, was, at the beginning of your Regular Session in January, earnestly submitted and pressed upon your attention by my predecessor. Necessity and economy unite in favor of suitable legislation in the premises. This subject was undertaken and, in some degree, advanced during the session just closed, but failed of completion.

"The other three propositions included in the proclamation need no argument to reinforce the public utility they will promote and subserve.

"I beg to reiterate what I have urged in a former communication concerning the necessity of confining appropriations within the estimated revenues to be hereafter available. It is earnestly recommended that you critically scrutinize every item in the bill you may report and pass, and see that nothing beyond what is reasonably necessary shall be embraced within its provisions. A careful specification and itemizing of the sums to be expended and the particular purposes to which they are to be applied is respectfully suggested. Separation rather than massing the subjects of appropriations and the amounts of expenditure, wherever the same can be accomplished, will, it is believed, conduce to economy in the many branches and divisions of the public service. Appropriating money in lump sums, intended for special and different purposes, with an unlimited discretion and undefined extent of authority upon the part of those who disburse them, should be avoided as far as practicable, and methods in keeping with strict business principles observed. I bespeak your good judgment and precaution, to the end that the treasury may not be taxed beyond its capacity to respond to the drafts you may authorize to be made upon it.

"S. W. T. LANHAM, Governor."

House, April 2: Speaker Neff, after stating to the members present that the Twenty-eighth Legislature had been convened in extraordinary session for the purposes named in the proclamation of the Governor, directed the clerk to read the document in full.

The clerk called the roll and 103 members answered to their names. Then, after prayer by the chaplain, Rev. L. L. Tucker, the Speaker declared the House ready for business.

A committee from the Senate announced the organization of that body.

The following committees were appointed: To notify the Governor of the organization of the House, Messrs. Harris, Grisham and Bryant; to convey the same information to the Senate, Messrs. Terrell of McLennan, Cobbs and Tharp.

A message from the Governor (the same sent to the Senate), was received and read.

Senate, April 8: An invitation extended to the members and officers of the Senate, to attend, at 9 p. m. April 14, 1903, an "old-time reception and dance," given by the Austin Club in honor of the First Special Session of the Twenty-eighth Legislature, was accepted.

House, April 9: Mr. Anthony offered the following resolution:

"House Concurrent Resolution No. 2, inviting the survivors of the battle of San Jacinto to visit the capitol on Tuesday, April 21, 1903, the anniversary of that great event.

"Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, That the surviving heroes of the decisive battle of San Jacinto, which secured to Texas her independence, be and they are hereby invited to visit the capitol of Texas, and enjoy all the privileges of the House, and the Senate, on Tuesday, April 21, 1903, the sixty-seventh anniversary of that glorious achievement, which has immortalized them and their now empire State, indulge its reminiscences, and recount its heroic deeds, that they may be accorded the honor due them by the State they made; be it further

"Resolved, That a committee of three members each of the House and the Senate be appointed a committee of invitation to convey to each of them in fitting terms the intent and purpose of these resolutions."

The resolution was read the second time, and was adopted.

Mr. Mays offered the following resolution:

"Whereas, An oil portrait of the Hon. Roger Q. Mills, an illustrious and distinguished citizen of Texas and of the Union, who was engrossing clerk of the House of Representatives of Texas in 1851, when a boy; was a member of the Legislature of Texas in 1859; was colonel of the Tenth Texas Infantry, which he commanded during the Civil War; commanded brigade at battle of Chickamauga; three times severely wounded; several times complimented in general orders for intelligent and gallant behavior; was elected to Congress in 1872; took his seat in March, 1873, and served continuously in the House of Representatives and the Senate of the United States for a period of twenty-six years; was chairman of the Committee on Ways and Means, and re-

ported the bill known as the 'Mills Bill,' which passed the House and was indorsed by the Democratic National Convention of 1888; was unanimously indorsed by the State Democratic Convention of Texas in 1888 for nomination by the National Democratic Convention as Vice-President of the United States, and who received the degree of Doctor of Laws from Washington and Lee University, Lexington, Virginia, in 1894, is tendered to this House, and through it to the State of Texas, and

"Whereas, It has heretofore been the policy of the State to encourage the presentation and preservation of the portraits of its distinguished men, as well as their presentation to the State, with which to adorn the walls of its capitol and thereby to lend inspiration to posterity, and particularly her younger sons; therefore, be it

"Resolved, That said portrait be and the same is hereby accepted and that Monday night, April 20, 1903, at the hour of 8 o'clock p. m., be and is hereby set apart in order that appropriate ceremonies may be observed upon its presentation, and that the House be used for said purpose, and that a committee of three be appointed by the Speaker to arrange a program therefor."

The resolution was read a second time, and was adopted.

In accordance with above resolution, the Speaker announced the following committee: Mears, Mays, Love and Brown of Kaufman.

House, April 10:

Mr. Terrell of Travis, as a question of privilege, offered the following resolution:

"Whereas, Under the law the State Revenue Agent is required to examine all the institutions of the State, and to report to the Governor on the efficiency of all their employes;

"Resolved, That the Governor be requested to transmit to the Legislature all information reported to him regarding the rumored defalcation lately discovered in the State penitentiary management at Rusk, together with his suggestions as to the best mode of procedure to ascertain the amount of such defalcation, if any, and what course should be pursued by the Legislature in regard thereto."

The resolution was read second time, and was adopted.

Mr. Standifer, obtaining the floor, stated that Hon. Franklyn K. Lane, late Democratic nominee for Governor of California, is in the city, and moved that the privileges of the hall be extended to the distinguished visitor, and that a committee be appointed to escort him to the hall and the Speaker's stand.

• The motion prevailed.

In accordance with above motion, the Speaker announced the following committee:

Messrs. Standifer, Rice and Cottrell.

The committee soon appeared at the bar of the House, accompanied by Mr. Lane and by Hon. Jas. B. Wells, chairman of the Democratic Executive Committee of Texas.

Mr. Lane was introduced to the House by the Speaker and, in response

to numerous calls, delivered an address that was frequently and enthusiastically applauded.

Then Mr. Wells, who occupied a seat on the rostrum, was also called for, and responded with a brief address.

At the close of the addresses, Speaker Neff, in behalf of the House, thanked the visitors for their presence.

House, April 11:

A communication from U. S. Senator Culberson was read stating that recent illness, from which he had not fully recovered, would probably prevent him from accepting the invitation of the House to use its hall for the purpose of delivering a public address.

The following message was received from the Governor:

“Executive Office, State of Texas,
Austin, April 11, 1903.

“To the House of Representatives:

“In response to your resolution requesting the Governor to ‘transmit to the House all information reported to him regarding the rumored defalcation lately discovered in the State penitentiary management at Rusk, together with his suggestions as to the best mode of proceeding to ascertain the amount of such defalcation, if any, and what course should be pursued by the Legislature in regard thereto,’ I have to say that, as soon as the matter referred to was brought to my attention and certain facts submitted to me by the Financial Agent and President of the Penitentiary Board, I urged an immediate investigation by them involving an examination of the books and the ascertainment of any additional facts. These agents of the State have industriously pursued the investigation, but have not as yet had time to find out the full extent of the shortage in the premises. I also conferred with the district attorney at Rusk, who has been giving the matter his close attention. The officials of the State are doing all in their power to obtain as full information as possible concerning the extent of the defalcation and to protect the interests of the State. I am advised that a criminal prosecution has been instituted against the former Assistant Financial Agent, and all reasonable efforts are being made for his arrest. I know of no reason at this time for any action by the Legislature in the matter.

“S. W. T. LANHAM, Governor.”

House, April 13: An invitation was accepted to attend the battle of flowers at San Antonio, April 21.

Resolution adopted granting the use of the hall to John B. Hood Camp, U. C. V., the night of April 16 for concluding exercises in connection with the unveiling of the Confederate monument in the capitol grounds.

A message was received from the Governor transmitting a communication to him from the Board of Trustees of the State Orphan Home at Corsicana and calling attention of the Legislature to the immediate

need for \$4750 to be appropriated to put the school building of that institution in a safe condition.

Senate, April 15:

The Chair laid before the Senate the following invitation:

"Austin, Texas, April 15, 1903.

"Hon. Geo. D. Neal, President of the Senate, Austin, Texas.

"Dear Sir: A public reception will be given by the Albert Sidney Johnston Chapter, U. D. C., in the Senate chamber, on Thursday, the 16th inst., from 7 to 9 o'clock, p. m., to the John B. Hood Camp, U. C. V., and to Mrs. Cone Johnson, President of the Texas Division, U. D. C., and other visiting Daughters and Veterans. The officers, members and employes of the Senate, and their ladies are respectfully invited to attend. Very respectfully, Mrs. Melissa Hardy, President Albert Sidney Johnston Chapter, U. D. C."

A similar invitation was extended to the House.

A communication from Comptroller R. M. Love was submitted, stating that he estimated \$6,500,000 as the total amount of general revenue that could be counted upon for the two years ending August 31, 1905.

House, April 15:

By direction of the Speaker, the following communication was read:

"Waco, Texas March 30, 1903.

"Hon. Pat M. Neff, Austin, Texas.

"Dear Sir: Through you I desire to extend on behalf of Baylor University to the members of the lower house of the Texas Legislature an invitation to attend the dedication exercises of the F. L. Carroll Chapel and Geo. W. Carroll Science buildings, April 19-21.

"This is a function made possible by the benefaction of the men whose names the buildings bear. It is something rare in the Southwest when a man gives \$75,000 to erect a monument not to help himself, but to help humanity. This sum has been given by a father and a similar amount by his son.

"It being a semi-public occasion, we greatly desire the public men of our State to help us honor the men who have done so much for Texas.

"Programs are enclosed herewith, and we will reserve seats for all your House who will come. Very truly, S. P. Brooks, President."

Mr. Connally moved that the invitation be accepted, and that the Chief Clerk be directed to notify President Brooks of this action.

The motion prevailed.

Senate, April 17: Lieutenant-Governor Neal signed in the presence of the Senate House Concurrent Resolution No. 2, inviting the survivors of the battle of San Jacinto to visit the capitol April 21.

House, April 17: The following House Joint Resolution, introduced by Mr. Glenn April 15, was passed:

"Be it resolved by the Legislature of the State of Texas:

"Whereas, The State Superintendent of Public Instruction of Texas has just received a communication from the State Superintendent of Public Instruction of North Carolina, inclosing a resolution adopted

unanimously by the General Assembly of North Carolina at its recent session, which reads as follows:

"Whereas, George Peabody gave in trust for a period of thirty years for the advancement of education in the South one million dollars February 7, 1867, and gave one million dollars additional June 29, 1869; and

"Whereas, In his letter of donation of said date June 29, 1869, he expressed his wish in regard to the final distribution of the funds as follows: 'It is my desire that, when the trust is closed and the final distribution is made by yourselves or your successors, all of the fourteen States, including Maryland, Kentucky, Missouri, and Texas, shall share in that distribution according to their needs'; and

"Whereas, It is stated in the public press that the trustees of the Peabody Fund contemplate closing the trust and concentrating the fund in one large teachers' college, instead of distributing it among the Southern States according to their respective needs; therefore,

"Resolved by the House of Representatives, the Senate concurring:

"That the trustees of the Peabody Fund be requested to set aside for educational purposes in North Carolina the sum to which the State may seem to be entitled under the said deeds of trust of February 7, 1867, and June 29, 1869.

"2. That the Governor and the State Superintendent of Public Instruction be requested to confer with the trustees of the Peabody Fund in regard to this matter; and

"Whereas, The interests of public education in Texas are likewise concerned in the contemplated action of the honorable trustees of the Peabody Fund; and

"Whereas, The matter deserves the most careful consideration by representatives of all interests involved; therefore, be it

"Resolved by the Legislature of the State of Texas, That the Governor and the State Superintendent of Public Instruction of Texas be and are hereby requested to confer with the trustees of the Peabody Fund in regard to this matter."

Senate, April 20: Invitation received to attend a celebration and basket picnic to be given by the Austin Fire Department at Pease Park April 21; accepted.

House, April 20: Hon. A. W. Terrell delivered a superb speech accepting for the House the portrait of ex-United States Senator R. Q. Mills.

House, April 21: A quorum not being present, the House was placed under call and the Sergeant-at-Arms sent in quest of absentees.

While the House was waiting for the report of the Sergeant-at-Arms, Hon. Harry Haynes, upon the unanimous request of those present, addressed the House upon the anniversary of the battle of San Jacinto.

While the House was still under call, waiting for the report of the Sergeant-at-Arms, short addresses, by the unanimous request of those present, were made by Mr. Schluter, Mr. Potter, Mr. Egan, Mr. Weinert, Mr. Schlick, Mr. Robertson of Bell, Mr. Moran and Mr. Bridgers.

At this point the Sergeant-at-Arms reported that he could find none of the absentees in the city and, on motion, the House adjourned until the following morning.

Senate, April 22: Invitation accepted to attend a dance tendered that night at the State Lunatic Asylum especially to the legislators and their invited friends; also invitation of the Austin Rapid Transit (street car) Co., tendering free rides to and from the dance to the legislators and the ladies they might escort.

Resolution adopted to hold morning, afternoon, and night sessions.

Invitations accepted for senators to attend at their pleasure sessions of the State Board of Medical Examiners, then in session on the first floor of the Driskill Hotel, examining applicants.

Courtesies of the Senate extended Hon. Dudley G. Wooten, an ex-member of the Legislature and of the United States Congress.

House, April 22: Resolution adopted that a committee of three be appointed to canvass the members of the House for subscriptions to the World's Fair fund.

Invitation to the dance at the State Lunatic Asylum, and invitation of street car company to furnish free transportation to and therefrom, accepted.

Mr. Isaacks asked unanimous consent of the House to offer a resolution:

There was no objection to the request.

Mr. Isaacks then offered the following resolution:

"Whereas, The Honorable Alexander W. Terrell has served the State of Texas and the United States in a public capacity almost continuously for more than half a century, being district judge at the early age of twenty-nine; four years of distinguished service under the Stars and Bars, entering the army as a private, afterwards colonel of the Thirty-fourth Cavalry; serving eight years in the State Senate, in which capacity he was the author of our most excellent jury system; author of the laws under which was built the present magnificent State capitol, without the expenditure of one cent of the State's money; one of the authors of the law under which our grand University building was constructed; served four years with distinguished ability as Minister Plenipotentiary from the United States to Turkey; and last, in his ripe old age, he has given the lower house of the Texas Legislature the benefit of his ripe experience, his wise counsel and statesmanship as a member of the Twenty-second and Twenty-eighth, during which his master mind has helped to frame some of our wisest laws, notably the Railroad Commission and our present election law, which two are largely his handiwork; and,

"Whereas, It should be the policy of the State to preserve the portraits of its distinguished public servants, thereby lending inspiration to her citizenship, particularly the young; and

"Whereas, The family of Judge Terrell have a magnificent oil portrait of this illustrious and distinguished servant of the people; therefore, be it

"Resolved, That we request the family of Judge Terrell to present the same to the State of Texas, through this House, that it may be hung on the walls of the building for which his statesmanship is largely responsible, and that on the presentation of the said portrait the same be accepted by the House, and that Tuesday night, April 29, 1903, at 8:30 o'clock, be and is hereby set apart in order that appropriate ceremonies may be observed upon its presentation, and that the House be used for that purpose, and that a committee of three be appointed by the Speaker to arrange a program therefor. (Signed) Cunningham, Isaacks, Ramsey."

The resolution was read, and Hon. A. W. Terrell, over the protestations of many of the members, rose in his seat and requested that the authors of the resolution withdraw it from further consideration by the House, at the same time protesting earnestly against its passage.

Objection to the withdrawal was made by Mr. Green and many others.

The resolution was then read second time, and was unanimously adopted.

Resolution adopted inviting to a seat on the Speaker's stand U. S. Senator Culberson, then in Austin.

Courtesies of the House extended to Hon. Dudley G. Wooten, ex-Congressman.

Senate, April 23: Invitation accepted to visit Granite Mountain and Marble Falls Saturday, April 25 (transportation to be furnished by the H. & T. C. Ry.), and enjoy a ride over the town of Marble Falls in carriages furnished by the citizens, and partake of an old-fashioned barbecue dinner in a beautiful grove, as the guests of the Texas and New York Granite Co., and of Messrs. O'Rourke & Co., contractors for building the Galveston seawall.

Resolutions adopted requesting the Governor to appoint one delegate from each of the State senatorial districts of Texas to the Trans-Mississippi Congress, to meet at Seattle, Wash., in August, 1903, and "that the delegates from the State of Texas to said congress be and they are hereby requested to use all due energy and influence in said congress, to the end that the proposed Pan-American Trades College, to be established in Texas, shall be endorsed, and the aid of said congress procured in the promotion of said proposition, as well as such other matters of interest to Texas as the said delegates shall consider advisable."

House, April 23: A resolution to the same effect as the foregoing was adopted.

In this connection the following, printed in the appendix of the House Journal of this date, is of interest:

TRADE RELATIONS BETWEEN THE PAN-AMERICAN REPUBLICS.

Mr. Griggs offered the following resolution:

"House Concurrent Resolution No. 5, re-endorsing the recommendations of the special committee in the Twenty-seventh Legislature, with reference to Pan-American relations and trade conditions.

"Whereas, There was a special committee appointed by the Speaker of the House of Representatives of the Twenty-seventh Legislature of the State of Texas to investigate and report back the best method and manner of extending the trade relations between the Pan-American republics, and the particular advantages to be thereby derived by the State of Texas, as shown in House Journal, pages 95 and 96; and

"Whereas, Said committee made a full and exhaustive report thereon, together with recommendations as to what steps should be taken by the State of Texas, which said report is contained in the House Journal, on pages 639, 640, 641, 642, 643 and 644; and

"Whereas, A short review of the subject matter is contained in a letter from ex-Governor Richard B. Hubbard to the chairman of said committee, as found on pages 762 and 763 of said House Journal; and

"Whereas, The subject matter of said report is of great interest to the State of Texas, and said report having been adopted by the Twenty-seventh Legislature; therefore, be it

"Resolved, that the said report of the said committee, and the said communication of ex-Governor Hubbard, together with this resolution, be printed in the Journals of this the Twenty-eighth Legislature of the State of Texas; and be it further

"Resolved, That the House of Representatives, the Senate concurring, readopt the said report and reindorse the recommendations of the said committee, together with the sentiments expressed in ex-Governor Hubbard's said communication, and the same is so done. (Signed) Griggs, Bridgers, Glenn, Harris, Grisham."

The resolution was read, and, on motion of Mr. Griggs, was referred to the Committee on Federal Relations.

Report of the Committee on Federal Relations:

"Committee Room, Austin, Texas, April 20, 1903.

"Hon. Pat M. Neff, Speaker of the House of Representatives.

"Sir: Your Committee on Federal Relations, to whom was referred House Concurrent Resolution No. 5, referring to Pan-American relations, have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it be adopted. Calvin, Chairman."

April 22, 1903: Mr. Griggs called up House Concurrent Resolution No. 5, and upon motion the same was unanimously adopted.

Mr. Isaacks, chairman, submitted the following report:

"Austin, Texas, April 24, 1903.

"Hon. Pat M. Neff, Speaker of the House of Representatives.

"Sir: We, your committee appointed to arrange a program to be observed at the presentation and acceptance of the oil portrait of Judge A. W. Terrell, on Tuesday evening, April 29th, beg leave to report as follows:

"The House will meet at 8:30 and the portrait will be presented to the House by Judge Yancey Lewis of the State University. It will be

accepted on the part of the House by Hon. W. D. Williams. We have also made arrangements for appropriate music for the occasion. Isaacks, Chairman, Cobbs, Cunningham."

Mr. Peeler offered the following resolution:

"Whereas, An oil painting and marble bust of Hon. F. R. Lubbock, an eminent and distinguished citizen of this State, who was elected chief clerk of the House of Representatives of the Extra Session of the First Congress of the Republic of Texas, and while holding such position was appointed Comptroller of the Republic by President Houston; in 1837 was appointed adjutant of a battalion that was raised for the protection of the frontier; in 1841 was again appointed Comptroller by President Houston, and in the latter part of the same year was elected clerk of the district court of Harris county, and re-elected for six different terms; in 1861 was elected Governor of Texas, refusing the nomination for the second term for the purpose of entering the army of the Confederate States, and upon such enlistment received a commission as Assistant Adjutant General, soon after which President Davis appointed him a member of his staff, which appointment was immediately confirmed by the Senate, with the rank of Colonel of cavalry; to the end of the war he was with the President, and was captured with him, taken to Fortress Monroe, afterwards to Fort Delaware, where he was kept in solitary confinement for about eight months, and on his release returned home and became engaged in active business; in 1873 was elected State Treasurer of Texas, and re-elected for six consecutive terms and then retired of his own volition, was bequeathed to the State of Texas by the last will and testament of Mrs. F. R. Lubbock, and which portrait and bust are now respectfully tendered to this House and through it to the State; and

"Whereas, The portrait of Hon. F. R. Lubbock that now hangs among the pictures of the Governors in the Supreme Court library does not represent him at the time he was Governor of this State, but the portrait now tendered is a splendid likeness of him at that date, and it being among the last wishes of his beloved wife that this portrait should take the place of the one mentioned; therefore, be it

"Resolved, That such portrait and bust be and the same are hereby accepted, and that a committee of five be appointed by the honorable Speaker of this House to confer with the representatives of Mrs. Lubbock's estate and arrange the program to receive said portrait and bust at some future time, and that this hall be and the same is hereby tendered for that purpose. (Signed) Terrell of Travis, Peeler, Robertson of Bell."

Senate, April 28:

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read: House Joint Resolution No. 4, requesting the Governor and the State Superintendent of Public Instruction to confer with the trustees of the

Peabody Fund in regard to their publicly announced intention of considering the advisability of concentrating the Peabody Fund for the establishment and maintenance of a teachers' college.

House, April 28:

Resolution adopted allowing the Chief Clerk ten days, the Journal Clerk seventy-five days, the Assistant Journal Clerk sixty-five days, the Sergeant-at-Arms two days, the Calendar Clerk four days, and a certain committee one day after adjournment of the Legislature sine die to complete the discharge of duties incident to their positions.

Concurrent resolution adopted inviting on the part of the State Dr. G. H. Bailey, of Phoenix, Arizona, to attend the unveiling of a monument at Houston, in June, 1903, to Capt. Dick Dowling, hero of the battle of Sabine Pass. The following occurs in the preamble:

"Whereas, Dr. G. H. Bailey, now of Phoenix, Arizona, a surgeon in Captain Dowling's company, who commanded a part of a battery in that renowned engagement, is the sole and only survivor of that immortal forty-one, all others having sheathed their swords, furled their flags, and crossed into the great unknown."

The resolution being sent to the Senate, was also adopted by that body.

Mr. Stollenwerck, by unanimous consent, offered the following resolution:

"Whereas, Fifty-six lawyers of this House have generously contributed one dollar each to assist in the erection of a suitable monument to be placed over the grave of Judge O. M. Roberts; therefore, be it

"Resolved, That we express the hope that the lawyers of Texas will raise the balance necessary to buy a fitting monument to be placed over the grave of this grand old statesman. (Signed) Stollenwerck, Green, Schluter."

The resolution was read second time, and was adopted.

Mr. Green, by unanimous consent, offered the following resolution:

"Whereas, The Hon. John L. Peeler, one of Travis county's honored representatives in this body, has, by his many acts of courtesy to us, endeared himself to the entire membership of this body; and

"Whereas, By his genial comradeship and amiable conduct he has made our stay in his home city more pleasant socially than it otherwise would have been; therefore, be it

"Resolved, That the thanks of this House be extended to him; and be it further

"Resolved, That we wish him a long life of continued usefulness and prosperity; and be it further

"Resolved, That we know he loves his God, because he loves his fellow man. (Signed) Standifer, Green, Harris."

The resolution was read, and Mr. Schluter moved that it be adopted by a rising vote.

Mr. Holsey moved that the name of Hon. A. W. Terrell be added to the resolution, and the motion prevailed.

Question then recurred on the resolution as amended, and it was adopted by a rising vote.

Resolution adopted providing for a reception by the members, in Representative hall, in honor of the Austin Club and of Dr. B. M. Worsham.

Senate, May 1: Senator Savage elected President pro tem.

Adopted House Concurrent Resolution providing for adjournment at 10 p. m.

Committee on Contingent Expenses authorized to remain not to exceed five days after the close of the session to check the accounts of the Sergeant-at-Arms.

Resolution adopted providing that the Secretary, Journal Clerk, and Assistant Journal Clerk be retained thirty days, the Calendar Clerk ten days, the Sergeant-at-Arms five days, the Engrossing and Enrolling Clerks two days, and the postmistress one day after the close of the session, at \$5 per day, to complete the discharge of duties assigned them, and that the Sergeant-at-Arms be allowed the services of his clerk and of two porters during the time allotted him.

C. H. Allen, in behalf of the officers and employes, presented Lieutenant-Governor Neal an elegant Turkish rocking chair, and, in their behalf, Rev. J. S. Davenport presented President Pro Tem. Davidson a fine watch charm; suitable presentation speeches and responses.

At 6 p. m. adjourned to 8 p. m.

Reconvened at the latter hour. Passed the appropriation bill, a substitute offered by the free conference committee (Messrs. Wilson, Wil-lacy, Mills, Hanger, and Paulus, on the part of the Senate, and Boyd, Low, Weinert, Schluter, and Connally, on the part of the House) for House Bill No. 1. Other bills and resolutions were signed.

A message was received from the Governor, in which, besides paying his respects to the appropriation bill, and indulging in some wholesome animadversions warranted by the subject, he said:

"The time has come when this Legislature must finally adjourn. The work that has been done must now pass into history. Only the future can determine, and that by real experiment, the practical value and wisdom of your action. In my opinion much of what you have wrought has been well done, and will stand the test of criticism, as well as meet with the approval of our people. You are entitled to credit in that you have prevented the doing of some improvident things, and no merit you have shown should suffer detraction.

"I am well pleased with many of the enactments of this Legislature, and especially gratified at some of them. I have approved many of your bills. Some of them have been allowed to become laws without Executive indorsement, in which cases it has seemed proper to yield to your judgment. Unless impelled by a sense of constitutional obligation or conscientious conviction of grave impolicy, I have refrained from interposition with what your wisdom has declared. I have felt constrained in numerous instances, in the exercise of the duty and preroga-

tive for which I am responsible to my country and conscience, to disagree with certain conclusions you have reached. I have not hesitated to employ the veto power when it was believed that it ought to be brought into requisition. In no instance has this been capriciously or inconsiderately done. Any official who shrinks from the discharge of a public duty because of the apprehension that it may bring him at variance with the desires of particular persons, or even militate against his future political preferment, is, in my conception, unworthy of any position of dignity and responsibility. A governor who is not impervious to any influence that would lead him away from the path of duty and who does not possess the fortitude to do what he honestly believes is for the best interest of his State and the well-being of his people, is a reproach to himself, a disappointment to patriotic men, and dangerous to the commonwealth over which he presides.

"* * * I am thankful for whatever of aid and co-operation I have enjoyed at your hands, and no one will rejoice more at any just popular approval you may receive and any useful service you may have rendered the State than myself. I am not sensible of any lack of respect or consideration shown to the Legislature or any member thereof by the Executive. While conscious of imperfection and defect of judgment, I am glad to be able to say that I have sought, as best I could, to discharge my public duty as it has been given me to see it."

Senator Hanger offered the following resolution:

"Be it resolved, That the thanks of the Senate be extended to Hon. Geo. D. Neal, President of the Senate; Hon. A. B. Davidson, and Hon. R. V. Davidson, Presidents pro tem. of the Senate, for the uniform kindness and courtesy shown to each member of the Senate."

The resolution was unanimously adopted by a rising vote.

The notification committees having made their report, the Chair (Lieutenant-Governor Neal) here announced the hour of 10 o'clock p.m., the time set for sine die adjournment, had arrived, and, in accordance with the concurrent resolution previously adopted, pronounced the First Special Session of the Twenty-eighth Legislature adjourned without day.

House, May 1: Mr. Cobbs, in behalf of the members of the House, presented Mr. Rowland a gold headed cane.

Mr. Green, in their behalf, presented Dr. Cunningham a gold headed cane.

Mr. Napier, in their behalf, and in behalf of the officers of the House, presented Mr. Jones a gold headed cane.

The usual speeches were made in each of the foregoing instances.

Thanks were voted the Southern Telegraph and Telephone Company, the Chaplain (Rev. L. L. Tucker), and the representatives of the press.

As a double testimonial of appreciation, a special page in the Journal was set aside for the representatives of the press.

A resolution was adopted congratulating Hon. W. Dorsey Brown (a
Raines—17.

member of the House) upon his being appointed lieutenant colonel upon the Governor's staff.

The appropriation bill (as reported by the Free Conference Committee) was adopted. Other bills and resolutions were signed.

Mr. Robertson of Bell, by unanimous consent, offered the following:

"Resolved, That the reception which was to have been given this evening by the House, but which was unavoidably postponed on account of legislative business, be given tomorrow evening at 8:30 o'clock; also that the House be turned over to the committee tomorrow morning for the purpose of making the necessary arrangements as contemplated in the resolution adopted yesterday. (Signed) Robertson of Bell, Holsey, Cobbs, York."

The resolution was read second time, and was adopted.

On motion of Mr. Holsey and others, Mr. Bolin was requested to address the House, which he did felicitously. At the close of his remarks (the notification committees having reported) Speaker Neff called the attention of the House to the fact that the hour, 10 o'clock p. m., set apart by both houses for *sine die* adjournment, had arrived.

He then announced that, by virtue of the authority vested in him as Speaker of the House of Representatives of the Twenty-eighth Legislature, the House stood adjourned without day, and the gavel fell.

At the morning session on this day the courtesies of the House were extended to Hon. Oscar F. McAnally, an ex-member of the Twenty-sixth and Twenty-seventh Legislatures. During the regular and extra sessions the courtesies of the House were likewise extended to the following ex-members: Ex-Speaker J. S. Sherrill, Monta J. Moore, W. L. McGaughey, Homer T. Wilson, A. B. Manion, Wm. H. Stewart, J. M. Greenwood, Geo. M. Thurmond, and perhaps others.

During the sessions the courtesies of the Senate were extended to the following ex-members of the Texas Senate and other distinguished citizens: D. W. Odell, B. H. Johnson, A. B. Kerr, J. J. Swann, W. W. Turney, J. E. Yantis, Perry J. Lewis, C. C. James, J. M. Presler, H. D. McDonald, W. T. Beverly, A. W. Gregg, and Jack Beall.

The general appropriation bill (after deducting items vetoed by Governor), carried an aggregate of \$6,399,780.79. Special appropriations made by other bills amounted to \$1,377,245.94. The entire appropriations by the Twenty-eighth Legislature foot up \$7,777,026.73, an average of \$3,888,513.36½ for each of the two years. The bills, however, do not provide that all the expenditures shall be evenly divided between the two years.

The general appropriation bill was passed, enrolled and signed by the presiding officers of the two houses amid the confusion and hurry of the closing day of the special session. As a result, numerous mistakes were made in the enrollment (one necessitating the Southwest Texas Normal School being run on "deficiency" during the next two years) and the law, carrying an aggregate of nearly \$1,000,000 more than the total estimated revenue of the State for the period covered by its

provisions, was dumped into the hands of the Governor for him to do the best he could with.

Governor Lanham vetoed enough items to reduce the total amount appropriated to somewhat less than what it is believed the total receipts will be.

A most sensible provision in the bill, and one that will enable the Governor to prevent under any circumstances a deficiency, is the following, contained in one of the concluding sections:

"* * * And provided further, that any appropriation made under this act for the erection of new buildings and improvement of old buildings, and the purchase of machinery and equipments, shall be withheld by the Governor, if in his opinion the condition of the treasury will not warrant the expenditure of any such sum or sums."

His various vetoes of bills, his final message to the Legislature, and his written statement filed with the general appropriation bill setting forth his reasons for striking out various items that were contained in that enactment, evidence the commingled wisdom and courage that it seems are to characterize his administration.

The greater number of the appropriations contained in the bill passed by the Twenty-eighth Legislature are noticed in the articles elsewhere in this volume relating to the various State departments and institutions. The following, however, are not, and deserve special mention:

\$300 to "purchase a portrait of Joseph D. Sayers, ex-Governor of Texas, for the State library, said account to be approved by the Governor."

\$3000 to "pay the unpaid balance due on the contract made by the Daughters of the Republic of Texas for the statue of Stephen F. Austin, to be placed in the Hall of Statuary at Washington, D. C., the Legislature of Texas having heretofore authorized said organization to fill one of the places in said Hall of Statuary, set apart to Texas, with the statue of Stephen F. Austin, and said organization having raised by private subscription the sum of fifteen hundred dollars in part payment for said statue, properly signed by the Comptroller and approved by the Governor, when satisfactory proof is made that said statue has been received by the proper authority at Washington, and placed in said Hall of Statuary in compliance with the contract made by the Daughters of the Republic of Texas and approved by Governor Joseph D. Sayers, while Governor."

A total of \$67,000 for the two years ending August 31, 1905, for the payment of pensions to Texas Veterans under the general law, and a total of \$500,000 for the same period for the payment of pensions to Confederate veterans.

A total of \$1920 for the two years ending August 31, 1905, for the following humane purpose, in connection with the administration of the State penitentiaries:

"To pay salaries of two teachers, one at Huntsville and one at Rusk, \$480 each, such service as teachers to be performed by two chaplains

and said amount to be paid in addition to salary as chaplain; provided, such chaplain shall devote his entire time to said work and receive no salary from any other source."

Twenty thousand dollars "for fencing the San Jacinto battlefield, removing rubbish, caring for the graves of our San Jacinto dead, improving and beautifying the ground belonging to the State, to be expended under the direction of the Governor through the agency of five trustees, by him to be appointed, who shall serve without compensation."

Of general interest was the passage of the following, among other bills, not mentioned elsewhere in this volume:

Remitting taxes to Galveston and Brazoria counties, regulating child labor in factories, regulating operation of mines, creating Reagan county in honor of Judge John H. Reagan, providing for manual training in the public schools, uniform text book bill, appropriating \$50,000 for the discovery of a means to destroy the boll weevil, appropriating \$50,000 for the establishment of a textile department at the A. and M. College, to punish blacklisting, extending the purposes for which corporations can be formed, to prevent trusts, monopolies and conspiracies in restraint of trade, regulating elections, establishing a Pasteur institute, relating to the public schools and authorizing the loan of the University of Texas mineral collection for exhibition at the Louisiana Purchase Exposition, and the following resolutions: Submitting a constitutional amendment providing for an appropriation of \$500,000 instead of \$250,000 a year for Confederate pensions, submitting a constitutional amendment permitting the issuance of bonds by counties, cities, etc., for good roads and other purposes, setting apart a room in the capitol for the United Daughters of the Confederacy, appropriating \$10,000 for running and marking the Panhandle boundary, and submitting a constitutional amendment providing for the incorporation of State banks.

During the sessions the abolition of the occupation tax on merchants and some others, a longer open season for moving north of the quarantine line cattle living below that line, the Willacy bill relating to local option, a World's Fair appropriation and many other measures of less note were subjects of debate and stirred up considerable interest, but nothing came of them; some were defeated, others not acted upon.

A large amount of special legislation was enacted—a marked feature being the passage of bills providing for railroad consolidations.

At the regular session an act was passed appropriating \$110,000 to pay the mileage and per diem of members and the per diem of officers and employes, and an act appropriating \$20,000 to pay contingent expenses. Out of the first of these appropriations a total of \$100,939 was expended, and out of the second \$17,369.88.

At the first called session, acts were passed appropriating \$30,000 for the per diem pay of members, officers and employes and \$10,000 for contingent expenses. Of these sums \$29,966 was used for per diem pay and \$3911.26 to defray contingent expenses.

Regarded as a whole the Twenty-eighth Legislature compares favorably with those that have preceded it.

The following is a list of the members of the Senate, their postoffice addresses, and the numbers of their districts: 1st, J. R. Wilson, Texarkana; 2d, Jas. T. Pateson, Cooper; 3d, Travis Henderson, Paris; 4th, J. L. Harbison, Collinsville; 5th, Tom M. Cain, Emory; 6th, W. C. McKamy, Richardson; 7th, R. N. Stafford, Mineola; 8th, Chas. L. Brachfield, Henderson; 9th, J. J. Faulk, Athens; 10th, A. M. Douglass, Covington; 11th, Seth P. Mills, Waco; 12th, A. J. Harper, Groesbeck; 13th, Jas. I. Perkins, Rusk; 14th, J. T. Beaty, Jasper; 15th, A. W. Morris, Willis; 16th, A. G. Lipscomb, Hempstead; 17th, R. V. Davidson, Galveston; 18th, D. A. Paulus, Hallettsville; 19th, J. M. Hale, Caldwell; 20th, J. H. Faubion, Leander; 21st, Joseph Faust, New Braunfels; 22d, A. B. Davidson, Cuero; 23d, John Willacy, Portland; 24th, Marshall Hicks, San Antonio; 25th, J. W. Hill, San Angelo; 26th, Arch Grinnan, Brownwood; 27th, R. W. Martin, Gatesville; 28th, W. P. Sebastian, Breckenridge; 29th, D. E. Decker, Quanah; 30th, W. A. Hanger, Fort Worth; 31st, G. W. Savage, Belcherville.

Officers of the Senate: Lieut. Gov. Geo. D. Neal, president; Clyde D. Smith, secretary; W. E. De Lamar, assistant secretary; R. M. Gilmore, journal clerk; Amos Wynne, assistant journal clerk; Will M. Clark, calendar clerk; Frank P. Smith, engrossing clerk; Miss Lucy Lane, assistant engrossing clerk; Eldred McKinnon, enrolling clerk; Mrs. Laura V. Grinnan, assistant enrolling clerk; C. H. Allen, sergeant-at-arms; D. F. Hughes, assistant sergeant-at-arms; Frank Mullins, doorkeeper; C. J. Kirk, assistant doorkeeper; I. S. Davenport, chaplain; Miss Mary Fant Odom, postmistress; J. C. Son, assistant postmaster. [Presidents pro tem of the Senate are mentioned elsewhere.]

The following is a list of members of the House, their postoffice addresses and the numbers of their districts: 1st, W. C. Rochell, Park; 2d, G. A. Trice, Detroit; 3d, J. W. Bolin, Daingerfield; 4th, W. M. Hodges, Paris; E. A. Calvin, Paris; 5th, Aubrey T. Stell, Cooper; 6th, J. A. Worsham, Sulphur Springs; 7th, J. W. Hurt, Bloomburg; 8th, L. S. Schluter, Jefferson; 9th, W. M. Blalock, Marshall; 10th, B. A. Ragland, Gilmer; 11th, Tom H. Napier, Winnsboro; 12th, W. H. Marsh, Tyler; 13th, W. T. Potter, Tyler; 14th, J. Ras Jones, Long Branch; 15th, S. J. Hendricks, Henderson; 16th, Frank B. Guinn, Rusk; 17th, V. E. Middlebrook, Nacogdoches; 18th, S. L. Ramsey, Timpson; 19th, W. B. O'Quinn, Lufkin; S. M. Davis, San Augustine; 20th, B. F. Bean, Kirbyville; 21st, E. B. Pickett, Jr., Liberty; 22d, R. C. Duff, Beaumont; 23d, Edward F. Harris, Galveston; John E. Linn, Galveston; 24th, Patrick Egan, Jr., Houston; Geo. B. Griggs, Houston; Rockwell Hoskins, Cedar Bayou; 25th, L. A. Hagan, Richmond; 26th, W. D. Adair, Huntsville; Hayne Nelms, Groveton; 27th, C. C. Stokes, Crockett; 28th, G. R. Fowler, Palestine; 29th, H. Taylor Gilliam, Athens; 30th, M. G. Sanders, Canton; 31st, W. Dorsey Brown, Kaufman; 32d, Dan J. Anthony, Terrell; 33d, William Pierson, Greenville; O. C. Mulkey, Commerce; 34th,

J. Cunningham, Ravenna, A. P. Barrett, Bonham; 35th, Ike M. Standifer, Denison, J. C. Witcher, Bells, J. D. Woods, Sherman; 36th, J. D. Cottrell, Plano, J. N. Grisham, McKinney; 37th, Curtis Hancock, Dallas, Thomas B. Love, Dallas, J. S. Strother, Garland; 38th, J. W. Reese, Rockwall; 39th, J. B. Hemphill, Ennis, J. M. Alderdice, Mount Peak; 40th, Richard Maya, Corsicana, Walter R. Holsey, Powell; 41st, R. M. Edwards, Fairfield; 42d, W. J. Bryant, Mexia; 43d, Jerry Randolph, Madisonville; 44th, J. McDonald Meachum, Navasota; 45th, J. L. Fountain, Bryan; 46th, T. A. Low, Brenham; 47th, J. M. Johnson, Giddings; 48th, A. C. Murray, Caldwell; 49th, C. C. Glenn, Sealy; 50th, J. R. Wooten, Columbus; 51st, Ed. Tarkington, Hallettsville; 52d, T. J. Ponton, Hallettsville; 53d, E. L. Perry, Velasco; 54th, O. S. York, Edna; 55th, John M. Green, Yoakum; 56th, F. A. Schlick, Gonzales; 57th, Max Meitzen, Fayetteville; 58th, John R. Kubena, Fayetteville; 59th, S. J. Isaacks, Elgin; 60th, Lea Beaty, Lockhart; 61st, A. W. Terrell, Austin, John L. Peeler, Austin; 62d, W. F. Robertson, Taylor; 63d, C. C. Pearson, Burnet; 64th, G. S. Miller, Gause; 65th, John E. Crawford, Franklin; 66th, Ed. F. English, Cameron; 67th, G. W. Brown, Eddy; 68th, Pat M. Neff, Waco, H. B. Terrell, West; 69th, Tom T. Connally, Marlin, Jas. S. Ainsworth, Waco; 70th, W. T. Shannon, Belton, Huling P. Robertaon, Temple; 71st, Josh F. Tharp, Pecan Grove; 72d, S. R. Boyd, Hubbard City, J. W. Stollenwerck, Hillsboro; 73d, E. A. Rice, Cleburne; 74th, W. M. Knight, Meridian; 75th, J. J. Bennett, Stephenville; 76th, Phil Jackson, Granbury; 77th, H. S. Moran, Weatherford; 78th, Clarence Stewart, Grapevine, W. D. Williams, Fort Worth; 79th, Emory C. Smith, Denton; 80th, Gayle Talbott, Slidell; 81st, J. C. Murrell, Gainesville; 82d, J. T. Rowland, Nocona; 83d, G. F. Daugherty, Jacksboro; 84th, W. P. Gibbs, Gordon; 85th, H. P. Brelsford, Eastland; 86th, J. M. Rieger, Comanche; 87th, H. E. Chesley, Hamilton; 88th, Buck Gray, Cherokee; 89th, J. W. Baines, Blanco; 90th, Ferg Kyle, Kyle; 91st, F. C. Weinert, Seguin; 92d, Chris Callan, San Antonio, J. F. Onion, San Antonio, T. D. Cobbs, San Antonio; 93d, W. O. Murray, Floresville; 94th, Walter F. Timon, Sinton; 95th, W. J. Russell, Brownsville, F. W. Seabury, Rio Grande; 96th, J. O. Nicholson, Laredo; 97th, Hal Sevier, Sabinal; 98th, H. M. Nowlin, Center Point; 99th, J. R. Sanford, Eagle Pass; 100th, W. W. Bridgers, El Paso; 101st, W. J. Miller, Colorado; 102d, C. B. Hudspeth, Ozona; 103d, W. J. Bryan, Abilene; 104th, S. R. Crawford, Graham; 105th, J. C. Roberts, Crowell; 106th, W. B. Ware, Clarendon; 107th, J. W. Davis, Blanket; 108th, L. L. Hudson, Fort Worth; 109th, John L. Brown, Karnes City.

Officers of the House: Pat M. Neff, Speaker; Bob Barker, Chief Clerk; John R. Southwell, sergeant-at-arms; Roy V. Crowder, assistant sergeant-at-arms; Mark Logan, reading clerk; Lee Satterwhite, assistant reading clerk; Marshall Burney, journal clerk; J. L. Robinson, assistant journal clerk; Tilden L. Childs, calendar clerk; J. E. McFarland, engrossing clerk; R. L. Neal, enrolling clerk; M. G. Goss, doorkeeper; Milton Brown, assistant doorkeeper; Mrs. I. Barrow, postmistress; Miss Sallye I. Meador, assistant postmistress; Rev. L. L. Tucker, chaplain.

PAT M. NEFF,
SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-EIGHTH LEGISLATURE.

Pat M. Neff was born near McGregor, Texas, November 26, 1872. His parents were Noah Neff and Mrs. Bell (Shepherd) Neff, Virginians by birth, who shortly after their marriage moved to Texas, in 1852, and established (twenty-five miles from Waco and seven miles from the site of the present town of McGregor) a farm, where Mr. Noah Neff died in 1882 and Mrs. Belle (Shepherd) Neff still resides.

His grandfather Neff was a German, came to America from Frankfort-on-the-Main with the Marquis de Lafayette, participated as a patriot soldier in the closing victories of the American revolution, and, after the surrender of Cornwallis at Yorktown in 1781, permanently located at or near Richmond, Va.

His grandfather Shepherd was a member of the well known Virginia family of the name.

Mr. Neff graduated from Baylor University with the A. B. degree in 1893, from the University of Texas with the LL. B. degree in 1897, and from Baylor University with the A. M. degree in 1898.

He was admitted to the bar at Waco in 1897 and has since been successfully engaged in the practice of law in that city, for some years past as a member of the firm of Neff & Barcus.

He was elected one of the representatives from McLennan county to the Twenty-sixth, Twenty-seventh, and Twenty-eighth Legislatures, receiving the Democratic nomination over six competitors and securing a majority of 1800 votes over the one receiving the next highest vote in his first race, and defeating by a handsome majority four rival aspirants for the nomination in the primaries held in 1902. In the Twenty-sixth and Twenty-seventh Legislatures he served as chairman of important committees, took a notable part in legislation, served on one occasion as Speaker pro tem. of the house of the latter body (the members selecting him to act during the temporary absence of Speaker Prince), and displayed a mental force and admirable traits of personal character that won for him the respect and good will of his fellow members and the confidence and regard of the people of the State.

He announced himself a candidate for Speaker of the House of the Twenty-eighth Legislature, was elected unanimously on the first ballot, and made an ideal presiding officer. (See article entitled "Twenty-eighth Legislature.")

The Speakership is a very difficult position to fill. In the past many of those who coveted and secured it, found it fatal to their ambition, winning few friends and (as they thought, unavoidably) making enemies who afterwards, when opportunity offered, industriously barred the way to further political preferment. That Mr. Neff passed safely through this ordeal not only without losing prestige, but making a friend of every

member of the House who did not previously know him, speaks volumes in his favor and renders any commentary thereon a work of supererogation.

He has been a member of the Baptist church since 1889; and is a member of the Knights of Pythias fraternity.

He was married to Miss Myrtie Mainer, May 31, 1899, and has one child, Hallie Maud Neff, born in May, 1901.

Mrs. Neff's parents, N. J. and Mrs. Ella Mainer, live at Lovelady, Houston county, where her father is a merchant.

Mr. Neff has been a delegate to various State and other Democratic conventions held in recent years, and stands high in the councils of the party. The "Year Book" feels assured that, if he lives, he will write his name indelibly and honorably on the pages of Texas history.

JAMES PATTESON,
COOPER,

State Senator from the Second district (Red River, Titus, Franklin, Hopkins, and Delta counties), was born at Pulaski, Tenn., May 6, 1856, the son of Bernard M. and Mrs. Myranda A. D. (Smith) Patteson, Tennesseans by birth, who moved to Texas when he was eighteen months old and established a farm at the forks of Sulphur, a mile west of Ben Franklin, in what was then Lamar county, but is now part of Delta county. His mother died in Delta county in August, 1885, aged fifty-six years, and is buried on the old Patteson home place. His father died at Paris, Texas, Christmas eve, 1900, aged eighty-one years, and is buried at Cooper. His parents were related by blood and marriage to some of the best families in Tennessee and Georgia. Both were devout and consistent Christians.

Senator Patteson received a good English education in local schools; was elected county surveyor of Delta county in 1880 and 1882; was admitted to the bar in August, 1882; began practice in 1885 in co-partnership with J. F. Holmes, the present county judge of Delta county; has won an enviable reputation as a lawyer; has been a delegate to Congressional and State Democratic conventions held during the past ten years, figuring prominently as a member of the Committee on Order of Business at the Democratic State Convention at Galveston in 1898; was nominated for and elected to the State Senate in 1902; has been a member of the Missionary Baptist Church since nineteen years of age, and is a member of the Knights of Pythias and U. B. A. fraternities; married December 27, 1882, Miss Ikie M. Gray, daughter of Isaac N. and Mrs. Mary L. Gray, of Delta county; has helped organize various industrial enterprises in the section in which he resides; has been an active promoter of all worthy public movements, and is a staunch and able Democrat, who has done yeoman service in many campaigns.

His wife is also a member of the Missionary Baptist Church.

Mr. Patteson is a man of broad and pronounced views, possesses in a high degree the courage of his convictions, and left his impress upon the legislation accomplished by the Twenty-eighth Legislature. He is at an age when men begin to accomplish their best work. What he has done, therefore, may be considered as but an earnest of greater achievements.

MORGAN G. SANDERS,
CANTON.

Morgan G. Sanders, representative from the Thirtieth district, Van Zandt county, in the Twenty-eighth Legislature, was born near Ben Wheeler, in that county, July 14, 1878, the son of Levi L. and Mrs. Sarah Frances (Smith) Sanders, both of whom are now living at Ben Wheeler.

His father is of Irish descent, was born in Jackson county, Ala., came to Texas in 1855, was Gen. L. S. Ross' brigade blacksmith during the war between the States, and for many years past has been engaged in merchandising.

His mother is of German descent, was born in Troup county, Ga., and came to Texas in 1865.

He seems to have inherited in liberal measure the characteristic traits of the two stocks—the talent of the one and the studious habits and philosophical bent of the other—and, as a result, has forged rapidly to the front in his section of the State, until he now enjoys the distinction of not only being the youngest man who ever represented Van Zandt county in the Legislature, but one of the ablest, as well.

His modesty, sound judgment, fidelity and energy in the discharge of duty and courteous demeanor won him many friends among his colleagues. The capable manner in which he met and discharged the duties entrusted to him by his constituency augurs for him, it is to be hoped, a career of constantly expanding usefulness and distinction.

He has not lived long enough to supply a biographer with a long record of work—as Commander John Paul Jones said, he "has just begun to fight"—but what he has done has been well done, and is an assurance that he will push steadily forward in the line of safe precedents he has established.

He labored on the farm (attending country schools in the summer) until 1892, and then entered Alamo Institute, at Ben Wheeler, from which he graduated in May, 1895, and won the gold medal on an oration on "Washington and Lee." For three years following he taught school and then purchased the "Free State Enterprise," a newspaper that he edited with marked ability at Canton until he sold it in 1902, to confine

his attention to the practice of law. He was admitted to the bar in October, 1901, was appointed by the presiding judge to defend a negro charged with a felony, and handled the case with such skill and success as to immediately induct him into a paying practice, which has since widened and become more lucrative, until he now stands upon solid ground in the profession. He was assistant journal clerk of the Texas Senate of the Twenty-seventh Legislature and the experience gained in that position at the regular and two extra sessions of the body was of great practical value to him in his more important role of member of the House in 1903.

He has been a delegate to nearly all Democratic conventions held in his district from and including 1898, and was a delegate to the State Democratic Convention held at Waco in 1900 and the State Democratic Convention held at Galveston in 1902.

He was nominated for the Legislature in April, 1902, defeating in the Democratic primary Hon. John T. Curry, who represented the county in four legislatures and was very popular. Mr. Sanders carried every box in the county, a signal honor under the circumstances.

In the Legislature he served as a member of the following House committees: Finance, Railroad Commission, and Public Printing, and was chairman of the Committee on Enrolled Bills—a committee second to no other in the responsibility involved. He advocated the land bill to open the west to home-seekers, the seduction bill, compelling the husband to live with the wife after marriage, and other measures seeking to introduce undoubted improvements in the state of the law.

He introduced at the regular session a general road bill, providing that the commissioners court of any county in the State could issue bonds for the permanent improvement of the public roads by submitting the issue to a vote of the people, and a majority of the qualified electors voting for such a bond issue. The bill passed both houses but died in the enrolling committee room for want of time. There were several other general road bills pending, but the Governor recognized the merit in the Sanders bill and submitted the subject to the special session. Whereupon Mr. Sanders introduced the same bill and it passed with an emergency clause, the Governor signed it, and it took its place among the statutes of the State.

He became a member of the Baptist Church in 1896, of the Woodmen of the World in 1899, and of the Masonic fraternity in the early part of 1901.

He was united in marriage to Miss Renie Cox, at Ben Wheeler, in September, 1896. His wife died September 25, 1898. He has one child, Gurly H. Sanders, born November 8, 1897.

It is pleasing to note that young men of such worth and caliber are included in the generation that, as Carlyle would say, is now "becoming actual," and is supplanting the older generation that has contributed so much to the welfare and lasting glory of Texas, but, like all else sublunary, is fast passing away.

**THOMAS JOEL PONTON,
HALLETSVILLE, TEXAS,**

Representative from the Fifty-second district (Lavaca and Wharton counties) in the Twenty-eighth Legislature of Texas, is a school teacher by occupation and was born in Lavaca county, February 17, 1876, the son of A. C. and Mrs. Winifred (Hoonce) Ponton. His father was born in that county in 1842, served gallantly through the war between the States, and was killed by a horse when the subject of this notice was a child. His mother is still living in Lavaca county. She was born in Mississippi, and in 1860 moved to Texas with her father, who was an extensive planter and slave owner.

Thomas Joel Ponton, after attending the common schools, completed his literary education at a college in Houston, Texas. He has taught school six years, is a close and constant student and keeps abreast of his profession. He has always taken an active interest in politics and worked in the interest of Democracy. He has also labored ardently for good roads, the development of the rice industry, the betterment of conditions for the laboring class, and purity of the ballot. He was a member of important committees and made an excellent record in the Twenty-eighth Legislature. In that body he introduced and pushed to enactment a bill providing for the publication of notices of the sale of lands under execution and (with Mr. Pearson), a bill for the protection of the birds of Texas. He also took an active part in securing the passage of the general good roads bill and a bill offering a reward of \$50,000 to any person who discovers an effective means to exterminate the boll weevil.

**SYDNEY L. RAMSEY,
TIMPSION, TEXAS,**

Representative from the Eighteenth district (Shelby county) in the Twenty-eighth Legislature, was born near Buena Vista, Shelby county, Texas, July 12, 1873, the son of Louis and Mrs. Victoria (Spivey) Ramsey; was educated principally at the Timpson High School; spent the years 1900-1901 at the University of Texas; has been a teacher in the public schools since 1896; is a member of the Cumberland Presbyterian Church, and Teneha Lodge No. 737 A. F. & A. M.; has been an active worker for Democratic success in every campaign, and as a legislator made a record seldom achieved by a new member.

The following is a synopsis of some of the main points in his record in the Legislature: (1) Took an active part in the "Anti-Pool Room

bill;" (2) was a member of the Labor Committee which framed the "Child Labor Bill" and helped carry it through the House; (3) worked incessantly for the bill providing the penalty of imprisonment for a man deserting a woman after having been forced to marry her under breach of promise (Seduction Bill); (4) bitterly opposed the "Willacy Bill" and helped defeat it in the House; (5) was a member of the House Finance Committee and helped frame the bill, answering every roll call except when away on subcommittee work; was appointed on Free Conference Committee to help adjust differences between House and Senate on two occasions; (6) was appointed by the Speaker to attend closing exercises of the North Texas State Normal and report.

**JOHN R. KUBENA,
FAYETTEVILLE.**

John R. Kubena was born June 10, 1868, in Moravia, one of the political divisions of the Austrian empire; came to Texas in March, 1882, with his parents, John and Mrs. Veronica (Kahanek) Kubena, who established a farm near Fayetteville, where his father died in April, 1898, and his mother still resides; received a good common school education; is engaged in general merchandizing at Fayetteville in co-partnership with his brother-in-law, E. J. Kneseck, under the firm name of Kubena & Co.; married January 21, 1896, at Fayetteville, Miss Julia Sladek, daughter of John Sladek, one of the pioneer merchants of that place, and has three children: Jerome, John, and Ladimir, boys; is a member of the W. O. W., K. of P., and S. P. J. S. F. fraternities; helped organize the Slavonic Benevolent Order of Texas, one of the strongest and most rapidly growing Bohemian benevolent associations in the State, and has been its Supreme Secretary from the beginning; helped organize in 1900 the Fayetteville Creamery Company, and has since served as its president; has always been a working Democrat; was a delegate to the State Democratic conventions of 1900 and 1902; was Mayor of Fayetteville from April, 1900, to April, 1902; November 4, 1902, was elected from the Fifty-eighth representative district (Fayette, Gonzales and Bastrop counties) to the Twenty-eighth Legislature, and served as a member of important committees and made a fine record in that body.

**J. R. CURL,
SECRETARY OF STATE.**

Mr. Curl is not a stranger to the people of Texas. He is well and favorably known throughout the State. His selection for this important position is regarded with satisfaction by the Democracy, and considered by men of all parties as a just tribute to tried and proved merit.

He is a son of Judge H. H. Curl (now deceased), an early settler in Texas; was born in San Augustine county, Texas, and was reared and educated in Smith and Cherokee counties; became a citizen of Robertson county soon after attaining his majority, and began the study of law under Judge H. D. Prendergast, a distinguished land lawyer, now deceased; was elected clerk of the District Court of Robertson county in 1876; was admitted to the bar at the end of his term of office and moved to Weatherford, where he practiced his profession until the latter part of 1881; then returned to Robertson county, where in November, 1882, he was elected county attorney; later became a citizen of Travis county, and was Chief Clerk of the State Department under Secretary of State Geo. W. Smith from January, 1891, to January, 1895; was Chief Clerk in the office of the Comptroller of Public Accounts for six years under Comptroller R. W. Finley, and was appointed Secretary of State by Gov. Lanham and confirmed as such by the State Senate January 23, 1903.

**O. B. COLQUITT,
MEMBER OF THE STATE RAILROAD COMMISSION.**

O. B. Colquitt was born in Camilla, Mitchell county, Georgia, December 16, 1861; came to Texas in January, 1878, with his parents and located with them on a rented farm near Daingerfield in Morris county; entered the "Morris County Banner" printing office at Daingerfield in 1880; followed the office on its removal to Greenville, Hunt county, in December of that year, where its owner, J. F. Mitchell, established the "Independent Banner," a name subsequently changed to "Greenville Banner," having learned the printer's trade, established the "Pittsburg Gazette," at Pittsburg, Camp county, in 1884; married in 1885, Miss Alice Murrell and has five children—four sons and a daughter; sold the "Gazette" in 1886 and in November of the same year moved to Terrell, Kaufman county, where he purchased the "Terrell Star," a paper he continued to own until November, 1898, when he retired from the newspaper business to engage in the practice of law; was appointed chairman of the County Democratic Executive Committee of Kaufman county in 1890; was selected in 1892 to represent the Ninth senatorial district as

a member of the State Democratic Executive Committee, by which body in March, 1894, he was made a member of a sub-committee that conferred with a sub-committee appointed by the Clark, or Matlock, State Democratic Executive Committee, so called, and reached an agreement that resulted in the disbandment of the Clark, or Matlock, Executive Committee; was elected State Senator from the Ninth district in 1894, on the Democratic ticket, and won an enviable State reputation during four years service in that position; was appointed State Revenue Agent by Gov. Culberson April 21, 1898, and served as such until January 18, 1899; was appointed a member of the State Tax Commission by Gov. Sayers in 1899, and November 4, 1902, was elected by a popular majority of 283,989 votes, a member of the State Railroad Commission, to succeed Hon. John H. Reagan.

**JOHN J. TERRELL,
COMMISSIONER OF THE GENERAL LAND OFFICE.**

John J. Terrell was born in 1857 at his parents' home on Denton creek, in the eastern portion of Wise county, Texas. His father, Samuel Lafayette Terrell, a Mississippian by birth, married Miss Emily C. Kellam, of Washington county, Arkansas, and shortly thereafter, in 1854, moved to Texas with his bride; lived one year in Upton county, and then located, in 1855, at the first place settled in Wise county. [The county was organized in 1858.] In the fall of 1869, on account of the frequent depredations of hostile Kiowa and Comanche Indians, his father and mother moved to Fenton, Texas.

The first official position held by Mr. Terrell was that of county surveyor of Wise county. He was afterwards elected and served as district clerk of that county. In 1887 he was appointed State surveyor and classifier of public lands by R. M. Hall, Commissioner of the General Land Office, and assigned work on the Pecos and Rio Grande rivers, which he completed during the following twelve months. He was then tendered (in 1891) and accepted the position of head clerk in the lease department of the General Land Office, and filled it during the four years W. L. McGaughey was Commissioner. He was appointed chief clerk by A. J. Baker, who succeeded Colonel McGaughey as Commissioner, and served as such during the four years Judge Baker held the office. He was retained as chief clerk by George W. Finger, who was the next Commissioner elected by the people, and by Chas. Rogan, who, upon the death of Mr. Finger in May, 1899, was appointed Commissioner by Gov. Sayers and who, by virtue of that appointment and subsequent nomination by the Democratic party and election at the polls in 1900 held the office until succeeded by Mr. Terrell, who was elected Com-

missioner in November, 1902, and entered upon the discharge of his duties as such January 10, 1903.

Mr. Terrell's popularity may be judged by the fact that soon after he began his campaign for the Democratic nomination, all opponents withdrew from the race, leaving him a clear field. He is eminently qualified by special training and superior intelligence for this high position—one of the most important within the gift of the people, involving as it does the gravest responsibilities.

It is a pleasure to note the rise of such men as John J. Terrell, men upon whom honors are conferred solely for the reason they have won public confidence by the force of merit.

**C. E. GILBERT,
SUPERINTENDENT OF PUBLIC BUILDINGS AND GROUNDS.**

C. E. Gilbert was born at Livingston, Alabama, July 4, 1855; removed to Eutaw, Ala., with his mother during the war between the States, and after the war to Carrollton, Ala., where his father (who had returned from the war and whose printing office had been burned by General Wilson), established the "West Alabamian"; worked in his father's office from 1866 to 1876; came to Texas in the latter year; worked at Fort Worth and Marlin; bought the "Tablet" at Navasota and ran the paper five years and then sold it and in May, 1881, established at Abilene the "Reporter"; sold the "Reporter" in 1886 and, in partnership with L. L. Foster, established the "Herald," an evening paper published at Dallas; bought out Foster in 1887; later consolidated the paper with the "Times," under the name of "Times-Herald," which he continued to conduct until the spring of 1893; published the "Georgetown Democrat" in Williamson county in 1894-5; sold the paper in 1896 and returned to Dallas; was State Expert Printer from February, 1897, to January, 1901; bought the "Texas State Democrat" at Austin in 1897, and continued to publish it until appointed Superintendent of Public Buildings and Grounds by Gov. Lanham, January 23, 1903. He married Miss Gertrude Wilson at Carrollton, Ala., and has five children, two sons and three daughters.

**HENRY E. SHELLEY,
MEMBER BOARD OF PARDON ADVISERS.**

General Shelley was born in Talladega, Ala., March 15, 1841; served gallantly in the Confederate army through the war between the States and at the close of the struggle was adjutant general of Shelley's brigade (commanded by his brother); married in Alabama, March 30, 1870; came to Texas and located at Austin in 1871; was admitted to the bar and entered upon the practice of law in 1876, in which he has since continued; was one of those to whose efforts was due the organization of John B. Hood Camp of Confederate Veterans at Austin in 1884; was mainly instrumental in the establishment of the Confederate Home at Austin and its subsequent transfer to the State by John B. Hood Camp, helping to draw the bill for the latter purpose; was equally prominent in the work of that camp which resulted in the erection of the magnificent monument to the Confederate dead that was unveiled in the State capitol grounds in 1903; was one of the commissioners who selected the site for the State Institution for Deaf, Dumb and Blind Colored Youths, at Austin, and served as a member of the first board of trustees of the institution; served as president of the board of trustees of the Confederate Home from the date of the transfer of the Home to the State in 1891 until April, 1898; was appointed superintendent of the Confederate Home April 12, 1898, to succeed Gen. W. P. Hardeman, deceased, and filled the position until January 31, 1899; was appointed a member of the Board of Pardon Advisers, by Gov. Sayers, February 1, 1899; was reappointed by Gov. Sayers, January 17, 1901; was continued in the position by Gov. Lanham by appointment, January 27, 1903; has been active in a thousand good works, and is respected as a gentleman who in the hour when foes of the South were to be met on the field of battle showed himself without fear, and who in the more peaceful times that have followed has lived without reproach. The "Year Book for Texas, for 1901-2" contains histories of the Confederate Home and the Institution for Deaf, Dumb and Blind Colored Youths, showing more in detail his connection with those institutions. The present volume contains a history of the Confederate monument and an account of its unveiling.

**JAMES N. ENGLISH,
MEMBER BOARD OF PARDON ADVISERS.**

The appointment of Captain English to this position by Gov. Lanham, January 27, 1903, is regarded as a good selection, a just recognition of the services and fitness of a staunch Democratic worker, and a compliment to Johnson county.

Captain English was born near the site of the present city of Paris, Texas, December 24, 1837; was reared and received an ordinary English education in Titus county, Texas; served as captain of Company I, Ninth Texas Cavalry, C. S. A., in 1861-2, participating in the battle of Elkhorn (or Pea Ridge), and attendant campaign; resigned in 1862, returned home, and raised a company for frontier service, in which he continued as captain until the close of the war; merchandized in Cleburne two years (1870-72) and then entered upon the practice of law; was elected county attorney in 1876 and held the office one term; was a member of the Sixteenth Legislature, in 1879-80; was county attorney again in 1885 and again in 1889, and was subsequently actively engaged in the practice of his profession until appointed a member of the Board of Pardon Advisers.

**EM. S. HUGHES,
STATE EXPERT PRINTER AND SECRETARY OF THE STATE PRINTING
BOARD.¹**

Salary, \$1500 per annum. It is pleasing to note that Mr. Hughes has been retained in this position by Gov. Lanham, and still more pleasing to say that his retention has been due to but two facts—ability and faithful discharge of duty. The "Year Book for Texas for 1901-2" contains a brief biography of him, to which the reader desiring to know more about him is referred.

The union printers of Texas long contended that they, as exponents of organized labor, should be recognized by one of their number being appointed to this position, and that, if they were, the State would get honest work and be saved thousands of dollars annually. The recognition asked for was accorded, and their promise has been amply redeemed, as the records show. While his life has embraced the whole range of newspaper experience and he has filled creditably the positions of publisher,

¹ For historical facts connected with the creation and administration of this office, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

managing editor, and editorial writer, he prides himself especially upon being a printer and his most useful labor, except that now being discharged, has been performed in the various offices with which the Typographical Union has seen fit to honor him.

STATE DEPARTMENT.¹

Secretary of State J. R. Curl, appointed by the Governor, and confirmed by the Senate January 23, 1903, at the regular session of the Twenty-eighth Legislature; salary, \$2000. Office force, chief clerk and five clerks. Total appropriation for the department for the two years ending August 31, 1903, \$27,970.

In his biennial report for the two years ending August 31, 1902, John G. Tod, then Secretary of State, said of the important contract entered into by the State with H. P. N. Gammel:

"The inventory following and included in this report shows the number of volumes of reports of the Supreme Court, Court of Civil Appeals and Court of Criminal Appeals and Revised Statutes of 1895, and the General and Special Laws, purchased under the authority of Joint Resolution No. 12 of the Twenty-seventh Legislature, that are now on hand.

"Under the authority of Joint Resolution No. 12 of the Twenty-seventh Legislature, the State Printing Board, with your approval and ratification, has entered into a contract with Mr. H. P. N. Gammel, of Travis county, for the printing, binding and publication by Mr. Gammel of the Supreme Court Reports, of the Texas Civil Appeals Reports and of the Court of Criminal Appeals Reports of Texas. This contract requires the contractor to print, bind and publish said reports as the same are prepared and delivered by the reporters of said courts, and to furnish to the State free of charge such copies of said reports as the State may need for free distribution as is now or may hereafter be provided by law. Under this contract the publisher is bound to print, bind and publish not only the current volumes of reports, but as many as four volumes of the old reports each year, and to deliver to this office for the use and benefit of the State the electrotype plates. Under this contract the contractor has published Volume 94, Supreme Court Reports; Volume 24, Texas Civil Appeals Reports, and Volume 41 Criminal Appeals Reports. He has delivered to this office the copies of these reports required for free distribution, and they have been delivered to the persons entitled to them under the law providing for their distribution. The manuscript for Volumes 25 and 26, Texas Civil Appeals Reports,

¹ For a history of the department under the Republic of Texas and State of Texas and list of those who have filled the office of Secretary of State, and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

and Volume 42 Criminal Appeals Reports, has been received from the reporters, and within ninety days they will be published and ready for delivery.

"The contract above referred to, entered into between the Printing Board and H. P. N. Gammel, provided for the State obtaining three hundred sets of the General and Special Laws of the State of Texas in exchange for the books, pamphlets, journals, reports, statutes unbound and bound, that have been heretofore stored in the basement of the capitol. The contract provided, as a basis of exchange, that the General and Special Laws should be valued at sixty dollars per set, that being their market price, while the reports and statutes given in exchange therefor were valued at the price they were then being sold by the Secretary of State, viz: two dollars per volume for court reports and three dollars per volume for revised statutes. The contract providing for this exchange has been complied with, and Mr. Gammel has delivered the three hundred sets of session laws and has received a sufficient number of revised statutes, court reports, pamphlets, etc., to equal in value the three hundred sets of session laws received from him.

"In compliance with Joint Resolution No. 12, I have forwarded to each of the two hundred and twenty-seven organized counties of this State copies of these session laws for the use and benefit of the county, and now have on hand seventy-three sets of ten volumes each as shown by the inventory hereto attached.

"In distributing these session laws among the different counties of the State I have in all cases requested the county judge receiving same to send to this office a written acknowledgment of their receipt. The majority of the county judges promptly acknowledged receipt of the session laws, but a large number failed to do so. Some of these, after repeated requests, have finally sent in written acknowledgments of the receipt of the books, while quite a number up to this date have failed to acknowledge their receipt. I have been advised that in some cases the official receiving these session laws has treated the same as his private property, in violation of the last paragraph of Section 1, of Joint Resolution No. 12, which provides that said laws shall be furnished to the counties free for the use of the several courts of said counties, but shall remain the property of the State of Texas. It would seem that a law providing an adequate penalty for the failure of any county officer to turn over to his successor these and any other books belonging to the State that are in his custody is needed. Unless the Legislature provides some adequate law to protect the rights of the State in this respect it is likely that several thousand dollars worth of these valuable books will soon be lost to the State.

"As above stated, the contract between the Printing Board and Mr. Gammel provides for the printing of court reports for the period of twenty years without charge or cost to the State. As part of the contract the publisher has to furnish the State free of cost or charge all volumes needed for free distribution as is now or may be hereafter pro-

vided by law. This contract also requires the publisher to print at least four volumes per year of the court reports heretofore printed, and to deliver to this office the electrotype plates of each volume for the use of the State. This contract is believed to be one that is greatly advantageous to the State. Not only will the State save the value of the current reports furnished to it during the existence of the contract, which probably amounts to fifty thousand dollars, but there is also saved the amount of money lost by the State in handling the court reports, which will probably equal if not exceed the value of the books gratuitously distributed, but at the end of the twenty years the State will be in possession of a full set of electrotype plates of all its court reports from Dallam's Report down to the date of the expiration of the contract. Thus not only saving a large amount of money during the existence of the contract, but leaving the State at the expiration in such a situation that no monopoly can ever be obtained, nor can the public ever be charged an exorbitant price for Texas reports.

"Under the authority of Joint Resolution No. 12, Twenty-seventh Legislature, the Printing Board transferred to Mr. H. P. N. Gammel the vast amount of obsolete pamphlets and department reports that have for years incumbered the store room of this department. These are the same reports and pamphlets which my predecessors declared to be rubbish and of no value to the State, and have advised their destruction as a means of affording relief from the congested condition of the store room. There being, heretofore, no law authorizing the Secretary of State to dispose of or remove this vast amount of pamphlets and department reports, there was no way in which relief could be obtained. By virtue of the authority contained in the Joint Resolution No. 12, the Printing Board transferred the same to Mr. Gammel as a part of the consideration for the three hundred sets of session laws received from him and the printing of the court reports of this State. I have delivered these pamphlets and department reports to Mr. Gammel in accordance with the contract, and have thereby obtained much needed space in the store room of this department to use in storing the many new department reports, which are regularly coming in."

Among statements in the report, relating to other matters, the following are of interest:

"The records of this department show that for the period from January 1, 1901, to August 31, 1902, you have granted pardons in 299 felony cases, exclusive of 277 restorations to citizenship, which were granted after the terms of imprisonment; and that you have granted remission of fines, imprisonment, penalties and forfeitures in 114 cases, and commutation of death sentences in two cases.

"* * * The statement accompanying and included in this report shows a phenomenal increase in the receipts of this department since January 1, 1901, over that of the corresponding twenty months or that of any other period of twenty months. This increase consists chiefly of filing fees from domestic corporations, permit fees from foreign corpora-

tions and franchise taxes. The total receipts for this period amount to five hundred and seventy thousand one hundred and ninety-four dollars and eight cents. The receipts of this department for the corresponding period during the administration of my predecessor were two hundred and seventy-seven thousand eight hundred and fifty-six dollars and sixteen cents. The amount collected for the last twenty months exceeds the amount collected for the corresponding twenty months two hundred and ninety-two thousand three hundred and thirty-seven dollars and ninety-two cents."

The following statistics are collated from the report and cover the period extending from January 1, 1901, to August 31, 1902:

Total number of domestic charters, other than for railroads, filed, 2255; aggregate capital stock, \$323,229,643.80, of which \$274,145,199.80 was capitalization of oil companies and \$49,084,444 aggregate capital stock of other corporations. Of the oil companies, companies with an aggregate capital stock of \$259,425,199.80 were organized for prospecting and development, \$11,860,000 for refining petroleum, and \$2,860,000 for constructing pipe lines.

The companies other than petroleum cover every purpose for which the Texas statutes permit incorporation—religious, educational, eleemosynary, insurance, manufacturing, telephone and telegraph construction and operation, printing and publishing, etc. One of the most important was the Southern Pacific Terminal Company (capitalization \$1,000,000) for the construction and maintenance at Galveston of docks, wharves, warehouses and elevators.

Others of leading importance were forty-nine irrigation companies, total capital stock \$5,821,000; eight cotton mills, \$460,000; sixteen roller mills, \$540,000; six rice mills, \$370,000; eighty-one for the manufacture of cotton seed oil products, \$5,868,500, and ten for canning fruits and vegetables, \$98,000.

The following are some of the companies chartered: Lakeside Sugar Refining Co., Lakeside, \$200,000; Llano Mining, Milling and Smelting Co., Llano, \$1,000,000; New Century Cotton Mills, Dallas, \$40,000; Waco Knitting Mills, \$50,000; Celeste Cotton Mills, Celeste, \$60,000; Wharton Sugar Co., Wharton, \$20,000; South Texas Iron Works, Houston, \$30,000; Palestine Packing Co. (amendment to charter), \$20,000; Pittsburg Textile Manufacturing Co., Pittsburg, \$20,000; Oriental Textile Mills, Houston, \$50,000; Brenham Cotton Mills, \$175,000; Chinatte Mining Co., Shafter, \$300,000; Bridgeport Coal Co., Bridgeport, \$200,000; Armadillo Mining and Smelting Co., San Antonio, \$150,000; Copper Plate Mining and Milling Co., Big Springs, \$50,000; Ferris Hosiery Mills, Ferris, \$15,000; Houston Packing Co. (Inc. capital stock), \$250,000; Haring Cotton Machine Co., Goliad (for the manufacture of cotton picking machines), \$150,000; Wilkins Trunk Manufacturing Co., Dallas, \$15,000; Miller Bros. Manufacturing Co. (men's furnishing goods), Galveston, \$30,000; Mount Marion Coal Mining Co., Strawn, \$150,000; Mineola Box Manufacturing Co., Mineola, \$10,000;

Norse Gold Mining and Development Co., Norse, \$50,000; Fitze Hill Orchard and Garden Co., Houston, \$30,000; Elberta Orchard Co., Winsboro, \$50,000; Eagle Lake Rice Co., Eagle Lake, \$300,000; Fielder Salt Co., Grand Saline, \$100,000; Mineola Fruit and Vegetable Co., Mineola, \$5000; Morrill Orchard Co., Alto, \$90,000; Parker Earle Fruit Co., Barstow, \$150,000; Palo Pinto Mining Co., Palo Pinto, \$50,000; Rhuma Sulphur Co. (for the manufacture of medicine), Waco, \$50,000; Rio Grande Mining Co., Weatherford, \$15,000; Residue Crude Oil Burner Co., Dallas, \$125,000; Red Cloud Mining Co., San Antonio, \$150,000; San Vicente Mining and Milling Co., El Paso, \$50,000; Standard Bale Wire Buckle Co., Weatherford, \$25,000; Texas Paper Co. (for the manufacture of wrapping paper and paper bags), Dallas (increase capital stock), \$100,000; Texas-Portland Cement and Lime Co., Galveston, \$300,000; Texas Cinnabar Mining Co., Marfa, \$100,000; Texas Fruit Co.; Denison, \$40,000; Weatherford Cotton Mill, \$50,000; Grandview Milling Co. (flour), \$150,000; Fort Bend Rice Milling Co., Richmond, \$50,000; Houston Rice Milling Co., Houston, \$50,000; Lane City Rice Milling Co., Lane City, \$100,000; Seaboard Rice Milling Co., Galveston, \$100,000, and Orange Paper Co. (for the manufacture of paper), Orange, \$100,000.

The great Kirby Lumber Co. and other large corporations chartered in 1901 are mentioned in the "Year Book for Texas for 1901-2," copies of which can be had by parties interested addressing the Gammel-Statesman Publishing Co., Austin, Texas.

The report further shows that twenty-six railroad charters and fourteen amendments to railroad charters, were filed, and that 177 foreign corporations were granted permits to do business in Texas. It also contains lists showing what companies have forfeited their right to do business in Texas for nonpayment of franchise tax and what companies once debarred, for that reason, have been restored the right to do business in the State.

Judge Tod also directs attention to needed legislation with regard to franchise taxes and charter fees, to the end that they may be more equitably imposed and yield more revenue; and to compel certain elective officers to apply for and take out commissions, which they now neglect to do, to the financial loss of the State.

Referring to the law constituting the Attorney-General, State Treasurer, and Secretary of State a board to purchase fuel for the capitol, he says:

"This statute (Chapter 7, Title 52) was passed twenty-six years ago, when a very different system for heating the capitol prevailed from the one now in use. I am fully convinced from two years' experience as a member of the Board of Fuel Contractors that this statute is wholly unsuited to existing conditions, and public interest would be greatly benefited by the repeal of this title, and the passage of a law making it the duty of the State Purchasing Agent to purchase fuel for the capitol building as he does for the State eleemosynary institutions."

In his message to the Legislature January 16, 1903, Gov. Sayers said: "At no time since organized, has this department been so busily engaged as during the past four years. Its receipts from January 18, 1895, to January 15, 1899, were \$289,090, and from the last date to January 1, 1903, they aggregate \$895,143.

"* * * In this connection it will be interesting to note that since the enactment of the general incorporation law of 1871, there have been issued, through this office, charters for various purposes, with an aggregate capital of authorized stock of \$1,043,057,224, of which \$361,173,424 is of corporations formed between January 1, 1899, and September 1, 1902. Of these corporations, those that were alive on September 1, 1902, and paying the franchise tax, had an authorized capital stock of \$425,-018,430. The amount of authorized capital stock in corporations formed between January 1, 1899, and September 1, 1902, in good standing on the records and paying the franchise tax on the latter date, was \$325,-617,183. From this it may fairly be inferred that quite a number of companies chartered between the dates named, and having an aggregate of capital stock amounting to \$35,556,241, were organized without intent to do a legitimate business and merely for speculative and fraudulent purposes. In the foregoing corporations railways are not included; although fifty-eight of such companies, with an authorized aggregate capital stock of \$41,634,000, were chartered during the last mentioned period.

"The number of foreign corporations admitted to business in this State since January 1, 1899, in good standing and paying the franchise tax on September 1, 1902, was 261, with an aggregate of stock amounting to \$409,552,000. This does not include insurance or fidelity and guarantee companies, which hold permits from the Commissioner of Insurance. The information given is necessary to a correct understanding of the business enterprises that are being conducted in the State under the form of incorporated capital.

"Experience in recent years, particularly within the last few months, has demonstrated the necessity of more stringent regulations with reference to the organization of corporations under the laws of the State, and granting permits authorizing foreign corporations to transact business. The records of the State Department show that of the very many charters that have been granted within the last few years to oil corporations, 164, of which 155 were authorized in 1901, have a capital stock of \$181,-164,000, and pay an annual franchise tax of \$8035, while the records of the Comptroller's office also show that \$50,154 is due the State upon an ad valorem assessment of the properties belonging to these corporations of but \$5,251,259, making a sum total only of \$58,159 taxes and fees paid and to be paid, as against the enormous amount of stock which they were authorized to issue and sell. In other words, \$5,251,259 of property, as disclosed by the tax rolls, is the basis upon which \$181,164,-000 of stock depends for its value. One of two conclusions is certainly true: either the State has been grossly defrauded of its just revenue, or

many to whom this stock was sold were scandalously victimized. It should be also noted that the authorized capital stock of these oil companies is larger, by \$49,642,430, than the outstanding stock on 10,559 miles of railway in the State. For this reprehensible condition, from which so many have suffered, the legislation of former years is directly responsible. The requirement that the stockholders in a proposed corporation shall furnish satisfactory evidence to the Secretary of State that at least 50 per cent of the authorized capital stock has been subscribed and 10 per cent paid in before the charter shall be granted, is an entirely insufficient safeguard against what is commonly known as 'wild-cat' corporations. To the business world the methods adopted in order to evade this requirement, are well known and need not be stated. It is believed to be sufficient to call the attention of the Legislature to this manifest defect in the law, and, without recommending any specific remedy, to urge a consideration of the subject and the provision of such other safeguards in the formation of corporations as will prevent their use as a means for imposing upon the public.

"One species of corporation has been especially represented as being used for the purposes of defrauding the citizens of the State to a very large extent—the mutual insurance companies. There should be no hesitancy in the repeal of subdivision 50, article 624, of the Revised Statutes, under which they have been incorporated. Since the organization of these mutual concerns has been authorized, many of them have been chartered. It is not to be understood from what is said that all mutual, either life or fire, insurance companies have been undertaken with fraudulent intent, but it is safe to say that a large proportion of them have voluntarily ceased business, or have had their charters forfeited by the Attorney-General's department, and when so done, all who held policies in such companies have suffered a total loss. The injury to the public from these associations has greatly outweighed any possible benefit that might have accrued from those organized for proper purposes and honestly managed. Some may contend that those who deal with corporations do so with their eyes open, and that it is not the business of the State to make contracts for its citizens. This may be true in ordinary business transactions, but many people have the idea that when the State grants a charter to a corporation that the act is at least *prima facie* evidence of the reliability of the concern, and that the fact that the charter has been granted is used as a means of imposing upon the people whom it would otherwise have been impossible to deceive. It should be borne in mind that there is a great difference between mutual benefit associations, which have no charter, and those which are incorporated. It is only to the latter kind that reference is made. It may be added that there are many corporations doing business in the State that pay no tax of any kind whatever; and, also, that there is no good reason why a corporation should be notified as to the date when its franchise tax is due. The individual taxpayer is required to have knowledge of the law. The

officials and directors of every corporation should be made, under sufficient penalty, to promptly inform the State department of its abandonment of business, or its dissolution, and inasmuch as they have entire control of its assets, to be responsible for the payment of this tax."

ATTORNEY-GENERAL'S DEPARTMENT.¹

Attorney-General C. K. Bell, appointed March 20, 1901, to succeed Thomas S. Smith, deceased; elected by the people November 4, 1902; salary, \$2000 and, in addition thereto, fees to the amount of \$2000 per annum. Office force: Three office assistants (T. S. Reese, first; T. S. Johnson, second, and D. E. Simmons, third), a stenographer and a filing and recording clerk. Under a law passed by the Twenty-eighth Legislature, the first office assistant serves as acting Attorney-General during the absence of the Attorney-General, or inability (for any cause) of that officer to discharge the duties of the position. The office assistants are appointed by the Attorney-General. An assistant Attorney-General, to represent the State in the Court of Criminal Appeals, is appointed by the Governor "by and with the advice and consent of the Senate." He takes no part in the general office work. Gov. Lanham appointed Howard Martin, of Parker county, to this position January 23, 1903, and the nomination was confirmed by the Senate on the same day. Mr. Martin qualified and entered upon the discharge of the duties of the office January 27, following.

Total appropriation for the support of the department for the two years ending August 31, 1905, \$33,440.

Attorney-General Bell's report to the Governor October 13, 1902, covers the period from December 15, 1900, to August 31, 1902. It includes all operations of the department, and, as a record, shows that a very large amount of important work, especially in the successful institution and prosecution of civil suits enforcing the rights of the State and the observance of salutary laws, has been performed by the Attorney-General and his assistants.

The following are some of the statements of facts it contains: Money collected from December 15, 1900, to August 31, 1902, \$136,220.51. Aggregate capital stock of the railroad charters and amendments to railroad charters, that were approved and certified, as required by law, \$10,667,500. Number of claims presented under the appropriation for refunding to purchasers, or lessees of public lands, in certain cases, money paid by them into the State treasury, 817, of which claims aggregating

¹ For a history of the department under the Republic of Texas and State of Texas, list of those who have served as Attorney General and the dates of their appointment or election, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

\$49,638.70 were approved, claims aggregating \$16,783.31 were rejected, and claims aggregating \$133.25 were not perfected. Of four claims filed under the appropriation "To refund to purchasers of public domain the filing fees paid the Commissioner of the General Land Office on locations made under Act of July 14, 1879, and amended 1881," etc., only one was approved, that of I. F. Harrison et al., for \$2217.

Bonds examined and approved as having been legally issued: County, \$3,288,082; city, \$4,815,549; school district, \$320,900; for State Board of Education, \$3,818,607. Total, \$12,243,138. In addition to the foregoing records authorizing the issuance of over \$1,100,000 were approved to be followed by the execution and presentation of the bonds.

[Under the law the Attorney-General is required to examine all bonds submitted to the State Board of Education as an investment of the permanent school fund. He simply passes upon their legality.]

Total indictments for felonies, found by grand juries, 10,320, of which 105 were for arson, 1929 for burglary, 120 for embezzlement, 714 for forgery, 1150 for murder, 329 for perjury, 337 for rape, 233 for robbery, 2369 for theft, and 3034 for other felonies. Trials, 4547; convictions, 3236; acquittals, 1311; quashed, 302; nolle prossed, 4509.

Total number of misdemeanor cases, 40,437, of which 16,925 were presented by indictments and 23,512 on information. Trials, 19,973; convictions, 15,952; acquittals, 4021; quashed, 531; nolle prossed, 10,069.

Death penalties, 23; life imprisonments, 62; total years imprisonment, 10,384; average years imprisonment, 3.2; total fines imposed, \$330,-170.11; total fines remitted, \$13,089; total fines collected, \$207,235.92; total judgments on forfeitures, \$55,981; total forfeitures remitted, \$25,-060; total forfeitures collected, \$5996.

GENERAL LAND OFFICE.¹

J. J. Terrell, Commissioner; elected November 4, 1902; salary, \$2500 per annum. Assistants: chief clerk, assistant chief clerk, receiving clerk, and bookkeeper, legal examiner, chief clerk of the school land department, thirty-four clerks, three bookkeepers, chief draftsman, fourteen draftsmen, and two field agents.

Total appropriation for the support of the department for the two years ending August 31, 1905, \$116,035.

The biennial report of former Commissioner Charles Rogan (Mr. Terrell's predecessor) covers the period extending from August 31, 1900, to September 1, 1902.

He says that up to the present time the free school fund has received

¹ For a history of the General Land Office and list of Commissioners with dates of their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

43,986,131 acres of land and that suits now pending will probably add 500,000 acres.

An act of the Legislature approved February 23, 1900, set aside to said fund all the unsurveyed and unappropriated public domain within the State (except lakes, bays and islands bordering on the Gulf) and all lands thereafter recovered by the State. A previous act, approved April 18, 1899, set aside for that fund all lands that had previously been recovered by the State from individuals and railroad companies. In further and final payment of the balance found to be due the fund, the Legislature appropriated \$17,180.27 representing land at \$1 per acre. Thus was settled satisfactorily and without disturbing a single title an indebtedness that when first announced to be due created great uneasiness, especially among pre-emptors and persons who had filed on land under the homestead donation law.

Texas now possesses no unappropriated public domain.

"Of the number of acres set apart to the school fund 14,140 sales aggregating 5,603,237 acres have been patented. With the exception of some few sales, made under laws enacted prior to the Act of 1895, which have not been patented nor forfeited, and which, for the sake of convenience, are included in the following number of sales, there are now on the books of the Treasury and Land Office Departments, in good standing, 34,156 sales aggregating 16,302,669 acres, sold on forty years' time at 3 per cent. interest, except one-tenth of the purchase price which was paid at the time applications to purchase were filed. This leaves a balance unsold of 22,080,225 acres, of which 13,700,235 acres are leased for grazing purposes.

"The principal parts of the school land unsold are situated in the following counties: Andrews, Bandera, Borden, Brewster, Crane, Crockett, Dawson, Ector, Edwards, El Paso, Gaines, Garza, Gillespie, Glasscock, Irion, Jeff Davis, Kendall, Kent, Kimble, Kinney, Loving, Lynn, Martin, Midland, Reeves, Schleicher, Scurry, Starr, Sterling, Terry, West Tom Green, Upton, Val Verde, Ward, Webb, Winkler, Yoakum and Zapata."

Under appropriations for that purpose 3,938,768 acres of previously unsurveyed tracts of school lands were surveyed at a cost of \$2.40 per section of 640 acres. Of this work Judge Rogan says:

"I can not sufficiently estimate the great advantage to the State of the careful and accurate survey of the above large territory on the ground by accomplished surveyors. Corners have been actually placed and plainly marked, so that lines can be easily retraced in the future, the same having been run by transit instrument. Frequent observations were taken to observe the true meridian, and connections were made with corners of surrounding surveys, and county corners, thus making a complete connection with the whole, so that correct maps can be compiled of the entire territory from the city of El Paso east with the counties of Jeff Davis, Reeves, Pecos, Loving, Winkler, Ward, Ector and Crane to Upton and Midland counties, and north with the counties of Andrews,

Martin, Gaines, Dawson, Yoakum, Terry, Lynn, Cochran, Hockley and Crosby, Borden, Garza, Kent, Scurry and Fisher.

"In most of which was situated practically the unsurveyed portion of the State. The survey of these lands also enables the Commissioner to have an exact idea of the acreage of leases in counties where the same had heretofore only been approximated."

Speaking of the work done by one of the surveyors, he says:

"In this connection, I desire to state that, in order to make proper connections, it was necessary for Col. Woods to make a survey from the northwest corner of Fisher county west to the boundary line of New Mexico, a distance of 140 miles. Thence south about 75 miles to the southeast corner of New Mexico, the importance of which is shown further on."

A record is also presented of many other important surveys and work that has resulted in substantial financial benefit to the State. Steps have been taken (including surveys on the ground by a State surveyor and suits by the Attorney General in the district court of Travis county) to definitely determine claims, under Spanish and Mexican grants, to large bodies of land situated in Nueces, Hidalgo, Starr and Zapata counties.

Under an act approved May 10, 1899, the Commissioner, with the approval of the Governor, appointed two State agents "to investigate and make inquiries into and concerning the location, valuation and condition of any and all lands controlled or owned by the State; also concerning the free use, occupancy or enclosure of any of said lands without authority of law, and all depredations upon timber of said lands," etc.

"Both agents," says Judge Rogan, "began work on the 26th day of August, 1899, in Ector county, and their work was continuous, without ceasing, until all the duties assigned them had been fully performed. Mr. Slaton completed his work on the 9th day of June, 1902, and Mr. Cocke completed his on the 31st day of July, 1902.

"Whenever practicable, they made out and forwarded their reports every week, but it was often the case that reports were not received but once during the month, as it was impracticable to do so, because of the remoteness of their work from railroad stations and postoffices.

"During their three years itineracy, each of them traveled over 12,000 miles, by the use of hacks and teams, provided especially for that purpose, and in which they carried their supplies and camp equipage. As their work was continuous, they necessarily endured many hardships, often suffering from the scarcity of water, both for themselves and teams. They also necessarily encountered all kinds of weather, with a temperature varying from 110 degrees Fahrenheit in the summer, in the counties bordering on the Rio Grande, to below zero in the Panhandle counties, being often overtaken by rain and snow storms, but the worst trials they had were from sand storms in the extreme western counties, which sometimes delayed their progress for as much as a week at a time.

"As a direct result of their investigations 'concerning the free use,

occupancy or enclosure of any of said lands without authority of law," there was collected and paid into the State treasury for the benefit of the available school fund the following sums of money:

"From August 31, 1899, to September 1, 1900, \$55,455.79; from August 31, 1900, to September 1, 1902, \$39,453.87; total, \$94,909.86.

"The above shows the visible results of their work for the past three years, to collect which it has cost the State the sum of \$13,124.99. This alone shows the efficacy of the law, the wisdom of its enactment, and the efficiency of the agents. But aside from the visible results, the invisible in my opinion, are of more consequence than the visible, for it was quite noticeable that wherever the agents were at work, applications to lease, in considerable numbers were filed in the Land Office, in counties in which there was any considerable amount of school land subject to sale or lease, which resulted in leasing many thousands of acres then lying idle, or perhaps used, but for which the State was not receiving any pay. At the close of the fiscal year ending August 31, 1898, there were 10,728,630 acres under lease, the annual income from which was \$321,858.90; for the two years ending August 31, 1900, there were 14,953,951 acres under lease, the annual income from which was \$448,618.55, a net increase of 4,225,321 acres and \$126,759.63 in money; for the two years ending August 31, 1902, new rental contracts for 5,340,695 acres of land were made at an annual income of \$150,-220.85. Some of these leases were for land in cases where old leases had expired, or had been cancelled for nonpayment of rent, but most of them were for lands not theretofore leased, and is approximately a net gain of 3,600,000 acres or \$108,000 in money to the State, and no doubt much of this is due to the fact that these two agents discovered where this land was situated, and so advised people who were desirous of leasing it.

"The total number of leases in good standing on September 1, 1902, was 4581, aggregating 13,700,235 acres from which the State will receive an annual rent of \$411,007.15, provided radical and unwise legislation does not destroy them."

DEPARTMENT OF AGRICULTURE, INSURANCE, STATISTICS AND HISTORY.

W. J. Clay,¹ Commissioner, appointed by the Governor, and January 23, 1903, confirmed by the Senate of the Twenty-eighth Legislature, at its regular session; salary, \$2000 per annum.

Office force: chief clerk, stenographer and record clerk, agricultural clerk, insurance clerk, librarian, statistical clerk and cataloguer [the latter for one year.] Total appropriation for the support of the department² for the two years ending August 31, 1905, \$28,226, of which amount \$10,000 is to be utilized for gathering, arranging, publishing and distributing statistics relating to agriculture, commerce and labor.

The following facts gathered from reports issued by the department are of interest:

Total fire, marine and tornado risks written to and including the 31st of December of the years specified: 1899, \$329,373,538.28; 1900, \$417,567,504; 1901, 442,848,707.20; 1902, \$389,208,820.95, of which, for the same years, the following total risks were written by companies of other States: \$172,656,417.58, \$198,396,893, \$232,112,497.80, \$228,100,970.15, and the following by foreign companies: \$156,717,120.70, \$219,170,611, \$210,736,209.40, \$161,107,850.80.

Total premiums collected by fire, marine, and tornado companies for said years: \$4,666,515.89, \$5,140,379.31, \$5,798,843.04, \$6,106,272.68.

Total losses incurred, \$2,621,634.30, \$3,084,721.25, \$3,509,100.22, \$2,883,481.95.

Total losses paid, \$2,678,184.34, \$2,476,190.98, \$3,565,230.84, \$2,981,332.73.³

Of the foregoing, the total fire risks written were \$275,649,736.28, \$304,549,212, \$323,206,538.21, \$304,051,949.11; premiums, \$4,257,287.73, \$4,289,267.09, \$4,855,953.70, \$5,379,151.43; losses incurred, \$2,427,584.97, \$2,576,942.29, \$2,992,166.53, \$2,727,207.51; losses paid, \$2,502,040, \$2,039,878.81, \$3,063,726.92, \$2,824,133.57.

The risks written by life insurance companies in 1901 amounted to a total of \$46,956,068; premiums received, \$5,397,361; losses paid,

¹ Mr. Clay was born in Greenbrier County, Va., August 1, 1861; received an excellent education and good business training; taught school in West Virginia from 1878 to 1883; came to Texas in 1885 and taught school for one year at Stephenville, after which he was superintendent of the public free schools at Dublin for fourteen years—until he voluntarily relinquished the position in the summer of 1901, to engage in business pursuits, including insurance.

² For a history of this department and list of Commissioners and the dates of their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

³ Sometimes it occurs that the losses paid by companies in a year exceed those incurred during that year, for the reason that part of the losses was sustained during the preceding twelve months but was not adjusted and settled then.

\$1,704,253. In 1902 the risks written amounted to \$57,141,648.92; premiums received, \$6,294,124.75; losses paid, \$2,937,205.06.

Accident companies for the year 1902: Risks written, \$77,564,286.25; premiums received, \$466,139.11; losses incurred, \$266,725.62; losses paid, \$251,104.90.

Guaranty and fidelity companies, 1902: Risks written, \$20,787,-550.83; premiums received, \$92,190; losses incurred, \$43,954.23; losses paid, \$22,052.29.

Plate glass companies, 1902: Risks written, \$969,207.99; premiums received, \$19,463.02; losses incurred, \$6378.36; losses paid, \$5883.87.

Steam boiler inspection and insurance companies, 1902: Risks written, \$3,638,554; premiums received, \$30,697.59; losses paid, \$4721.55.

Employers' liability companies, 1902: Risks written, \$4,167,246.99; premiums received, \$82,300.41; losses incurred, \$38,579.68; losses paid, \$38,579.68.

Burglary insurance companies, 1902: Risks written, \$2,294,115.66; premiums received, \$12,971.80; losses incurred, \$6584.11; losses paid, \$6584.11.

Total risks written by all of the foregoing companies in 1902, \$455,-768,431.59; total premiums collected by them during that year, \$13,-104,159.36; total losses paid during that year, \$6,247,464.19; excess of premiums collected over losses paid, \$6,856,695.17. [All the figures for all the companies, except fraternal beneficiary associations, are exclusively for Texas business.]

The following were doing business in Texas December 31, 1902: 51 fire and marine insurance companies of other States; 25 foreign fire, marine and inland insurance companies; 37 life insurance companies; 13 accident insurance companies; 5 plate glass insurance companies; 3 steam boiler inspection and insurance companies; 3 employers' liability insurance companies, and 4 burglary insurance companies. In addition to these there were a number of mutual fire insurance companies, of which there is no record (they not having been required to make reports to the Commissioner heretofore, nor, by a strange oversight of law, subject to his jurisdiction), and fraternal beneficiary associations.

The number of fraternal beneficiary associations reporting for the year 1901 was 118; the number of fraternal beneficiary associations reporting for the year ending December 31, 1902, was 125. Eighty-one companies reported a total membership of 1,800,842 persons. Seventy-four companies reported a Texas membership of 177,974 persons. Eighty-three companies reported \$24,717,800.32 collected from members; total collected from all sources, \$25,539,411.90; total paid to members and expended for all purposes, \$22,116,364.42; difference between total receipts and total disbursements, \$3,443,047.48. Fifty-nine companies reported the total amount of insurance in Texas in force with them at that date as \$183,822,645. December 31 of the preceding year sixty-four companies reported the amount of insurance (both in and out of

Texas), in force with them at that date as \$1,892,745,406.08.¹ Figures are not given for the other companies.

Receipts of department from September 1, 1901, to August 31, 1902: Occupation tax from life insurance companies, \$109,506.62; from fire insurance companies, \$33,536.91; from accident, casualty and other companies, \$4,149.90; fees of office from fire insurance companies, \$12,102; from life insurance companies, \$3691.50; from accident, casualty and other companies, \$1255; from fraternal societies, \$1334.25; from trust and loan companies, \$200; miscellaneous, \$171.80, making the total receipts, \$165,857.98.

The total disbursements, including salaries paid, all expenses of the department, and cost of enforcing insurance laws, \$10,410.12. Net amount of receipts turned in to the State treasury, \$155,447.86.

Total receipts of department from September 1, 1902, to June 1, 1903, about \$184,000; total disbursements for that period for all purposes, about \$7000; and amount turned in to the State treasury, about \$177,000.

The Twenty-eighth Legislature passed the following important laws regulating insurance in Texas; these laws went into effect July 1, 1903, ninety days after their passage:

1. Putting a stop to the bogus mutual fire, storm, and lightning insurance companies that for a number of years have been victimizing the people, and substituting for them companies required to organize and do business on a legitimate basis; make sworn reports to the department, and subject to State supervision and control.
2. Authorizing the incorporation of mutual assessment accident companies surrounded by the same safeguards.
3. Requiring all insurance business to be transacted through agents authorized and licensed by the department, and providing a penalty for the violation of its provisions.
4. Requiring corporations acting as trustees, assignees, executors, sureties, etc., to each pay a fee of \$25, have a paid up capital of \$100,000, deposit \$50,000 in the State treasury, make stated reports to the department, pay the expenses incident to any examination into its affairs that the Commissioner may deem necessary, etc.
5. Providing that "no insurance contract shall be held void because of immaterial misrepresentations made in the application therefor, or in the contract of insurance, and providing conditions upon which a defense may be made upon the ground of misrepresentation," etc.
6. Amending the act governing fraternal beneficiary associations by exempting from the provisions thereof the Order of Railway Conductors,

¹ Perhaps not more than twelve per cent of this insurance was carried on Texas members. The total membership, total Texas membership, total insurance in force in Texas, total amount collected from members in Texas, and total amount disbursed to members in Texas for the whole number of companies are not given, for the reason that all the companies did not report these facts to the department.

Order of Locomotive Engineers, Order of Locomotive Firemen, Brotherhood of Railway Trainmen, Order of Railway Telegraphers, and Switchmen's Union of North America.

STATE PURCHASING AGENT.

W. B. Anderson,¹ State Purchasing Agent; salary \$2000 per annum. Office assistants: Chief clerk and assistant clerk. Total appropriation for the support of the department for the two years ending August 31, 1903, \$8400.

The report of Mr. Anderson's predecessor, C. P. Dodge,² for the fiscal year ending August 31, 1902, shows in detail work done and money saved under the law creating the office.³

Among much else of interest, he says: "For equipping the institutions, mentioned below, for burning fuel petroleum, appropriations were made, and expended for the purposes intended, as follows: North Texas Insane Asylum, appropriated, \$2000, expended, \$1995.86; State Lunatic Asylum, appropriated, \$3250, expended, \$3244.32; Southwestern Insane Asylum, appropriated \$1500, expended \$1500.

"The first of our institutions to use petroleum as a steam producer was the North Texas Insane Asylum, beginning May 15, 1901; the State Lunatic Asylum began November, 1901, and the Southwestern Insane Asylum May 20, 1902. Each of said institutions pronounce their experience with this fuel as most satisfactory, and refer especially to its cleanliness, quick steaming and economy. From such information as I have been able to gather, apart from a regular evaporative test, I should say the saving effected by using fuel oil is not under 40 per cent as compared with McAlester coal, and 25 per cent as compared with lignite. This cost does not consider the possible saving in labor; smoke, soot and ash inconvenience overcome, and saving in fuel in getting up

¹Mr. Anderson was appointed by Gov. Lanham January 23, 1903, and confirmed the same day.

He was born in Ladonia, Ky., October 20, 1848; received a common school education; went out of Kentucky in the spring of 1864 with Gen. Adam R. Johnston and joined the Eighth Kentucky Cavalry under Col. Ed. Crossland in Mississippi; served under Gen. Forrest, in Lyon's Brigade, and Buford's Division; surrendered with the command to Gen. Wilson at Selma, Ala., about May 1, 1865; came to Texas in 1870; resided at Gonzales one year and at Waco three years; engaged in ranching near Towash, Hill county, four years, merchandized at Whitney four years, and finally settled in San Antonio in 1887 as a broker and continued in that business until appointed State Purchasing Agent.

²Mr. Dodge was appointed in 1899 and reappointed in 1901, by Gov. Jos. D. Sayers.

³For a history of the office, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

steam, but simply the initial cost of the fuel. I append a statement of the fuel bills of the Insane Asylums, coal and lignite, for two years:

"From December 1, 1899, to December 1, 1900, State Lunatic Asylum paid \$12,997.02 for coal and \$2091.18 for lignite; for the same period the North Texas Insane Asylum paid \$20,256.52 for coal, and the Southwestern Insane Asylum \$3144.40 for coal and \$3978.25 for lignite. From December 1, 1900, to December 1, 1901, the State Lunatic Asylum expended \$5237.50 for coal and \$5113.48 for lignite; the North Texas Insane Asylum expended \$6415.02 for coal (from December 1, 1900, to April 1, 1901); the Southwestern Insane Asylum, \$5176.32 for lignite. Taking these figures as a basis for the annual fuel bill of said institutions, and figuring on the conservative estimate of 40 per cent saving for oil as against coal, and 25 per cent saving as against lignite, it would appear that these three institutions save on their annual fuel bill something like \$13,500 by using oil; the last Legislature appropriated \$6750 for equipping these three institutions for burning fuel oil, hence the saving in one year, after paying expenses of installing oil burning equipment, was about six thousand seven hundred and fifty dollars. Both the Deaf and Dumb and Blind Asylums are now equipped for using this fuel."

He then gives awards for supplies that were furnished various State institutions prior to the establishment of the present system. They show that there was a total absence of uniformity in prices paid. To illustrate, in the awards made under the old system (or rather no system) to furnish the Austin institutions for the quarter ending September 1, 1898, contracts were let by the several boards of trustees of the institutions, to bidders to furnish flour as follows: To the Lunatic Asylum, for \$4.98½; to the Deaf and Dumb Asylum, for \$4.98½; to the Institute for the Blind, for \$5.65; to the Confederate Home, for \$5.18, and to the Institution for Deaf, Dumb and Blind Colored Youths, for \$5.65. The discrepancies as to other articles were equally marked. Under the present law practical uniformity and the lowest possible prices have been obtained.

The average population of each of the three insane asylums and the Deaf and Dumb Asylum for the period of 36 months ending October 31, 1899, was 539; the per capita cost of maintenance, \$93.53; and the average cost of living in the United States, \$80.139.

During the period of 35 months ending August 31, 1902, their average population was 753; the per capita cost of maintenance, \$82.48; and the average cost of living in the United States, \$96.197. [In estimating cost of maintenance, he has excluded salaries paid officers and employes, thereby giving actual cost.] Commenting on these figures, he says:

"The above recapitulation * * * shows concisely and accurately the practical result of the law creating this department. From these figures it appears that, although the average population of the three insane asylums and the Deaf and Dumb Asylum had increased nearly 40 per cent, and the average cost of living increased nearly 20.4 per cent

during the second period above mentioned (when all supplies were purchased by this department) as compared with the first period above mentioned (during which time all institutions purchased their own supplies), the average cost of maintenance for said second period is over 11.8 per cent less than said first period."

STATE REVENUE AGENT.

B. W. Foster,¹ State Revenue Agent; salary \$2000 per annum. The Twenty-eighth Legislature appropriated for the use of this officer \$500 a year for traveling and other expenses and \$175 a year for stationery and stamps for the two years ending August 31, 1903.

J. D. Cunningham,² Mr. Foster's predecessor in the position, submitted to Gov. Sayers, September 22, 1902, an interesting report, in the course of which he said:

"My whole time has been occupied in looking after, investigating and ascertaining all sums of money due the State from any and every source as contemplated by the Acts of 1899.

"A prominent part of the work of this office is the comparison of the records of the Internal Revenue Office with the books of the different tax collectors of the State, and in ascertaining the difference in the number of people who obtain internal revenue license that fail to obtain State license. There are but few callings, trades and occupations that are taxed by the United States law that are not taxed by the State, and many are now taxed by the State that are not required to have an internal revenue license.

"* * * As a rule, the collectors are not strict enough in enforcing the penalties of the law against one violating the occupation tax law, and as a consequence persons take their chances of pursuing their occupations without the fear of molestation. The observance of the law governing Federal license is greater and better than that governing State license, because the power is given the revenue collector to enforce the penalties prescribed for a violation of the internal revenue law. Our occupation tax laws would be more rigidly enforced if the same power were given to the Revenue Agent.

¹Mr. Foster was appointed by Gov. Lanham January 23, 1903, and was confirmed by the State Senate and qualified the same day. He was born in Cartersville, Ga., October 12, 1848; moved to Spartanburg, S. C., with his parents in 1857; enlisted as a volunteer in the Thirteenth South Carolina regiment in 1863 and surrendered at Appomattox; graduated at Wofford College, South Carolina, in 1869, and in the following year came to Texas and located at Sulphur Springs, where he has since resided. He was editor of the Sulphur Springs Gazette from 1870 to 1873 and since that time has been engaged in the practice of law.

²Judge Cunningham, of Kaufman County, was appointed by Gov. Sayers, and entered upon the duties of the office March 1, 1902. These he discharged zealously and with an eye single to the best interests of the State.

"There are two hundred and twenty-four organized counties in the State up to the present year, and by law each collector of these counties is required to report monthly to this office the names of those engaged in selling spirituous liquors. This is not done, and while I have notified each officer more than once of the necessity of the same, and called their attention to the penalty for not reporting, I have been unable to get any report at all from sixty-seven counties of the State, and one-half of the balance report only occasionally. The penalty for not making this report should be enforced in the courts of Travis county. It is impossible for the Revenue Agent to discharge his duties unless these reports are made, and for the purpose of making his biennial report it is necessary for this office to obtain data from the Comptroller's and other departments. The law should be changed so as to require the collectors to make a like report of the one made by them to the Comptroller and send the same to the Revenue Agent. * * *

"The greatest difficulty experienced by this department* in enforcing the liquor license has been with the breweries of the cities. In regard to their own tax they have been punctual. It has been the custom of the breweries to pay the State tax for their customers, collecting from them weekly. I find as a result from this practice that the collectors were looking to the breweries to some extent, and the breweries were looking to their customers. I could see where the State suffered by a transaction of this kind, as the collectors could keep up better with the time that a man went into business, and the amount of tax he owed, if he dealt directly with the man who did business; and as a further result from this practice, the license which the State intended should be placed in a conspicuous place by the vendor of liquors was locked in the vaults of the breweries, and in a great many instances there was never any application to the county clerk for a license, but the receipt of the tax collector was the only evidence of good faith of the man who followed the business. I caused in several cities of the State all parties to be arrested who failed and neglected to place their license in some conspicuous place. In some instances they were prosecuted, in others they were not prosecuted, because the parties arrested had in good faith paid their money for license to the breweries, and the officers thought it would be a hard matter to convict. As a consequence of the prosecution the occupation tax has been increased, and every party selling whisky is now doing business in his own name instead of the name of the brewery that was backing him. A letter from a tax collector in North Texas addressed to this office says:

"In regard to the prosecution pending for violation of the liquor laws, fifteen more men of the old gang have taken out whisky license that never did before, and every man for the first time in the history of the county is doing business in his own name. I attribute it to your action

* For a history of this office and a list of the incumbents who have filled it and the terms of their service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., price \$2.

in recently having parties arrested who were not posting their license in accordance with law.'

"It requires constant vigilance upon the part of the Revenue Agent to see that the occupation tax law is enforced. Often the influences and powers are so great that the tax collectors hesitate and can not strictly enforce the law at the peril of losing his office at the next election. It would be sensational were this office to reveal letters received from some tax collectors in the State asking this office to give positive instructions that certain things be done."

He recommends that occupation licenses be issued to expire July 1 of each year (instead of one year from date of issuance), and thereby enable collectors to easily detect delinquents. He says:

"In the county of Bexar there is appointed by the Commissioners Court an inspector of license, whose business it is to see that all parties pay the proper license and at the proper time. I find as a consequence that it enables the tax collector to keep up better with the occupation tax against all callings, trades and professions, and I believe it would be to the interest of the State to have a like officer in all counties containing cities of any size.

"The following is a list of the counties that are now local option entirely: Cherokee, Castro, Collin, Crosby, Dallam, Dimmit, Foard, Frio, Glasscock, Hall, Hansford, Hays, Jack, Jasper, Jones, Lubbock, Moore, Ochiltree, Shackelford, Sterling, Stonewall, and Swisher.

"The foregoing is a true list of all the counties that are local option, except those counties that have gone dry within the last twelve months. Many other counties have been returned to this office as local option, but from tables A and B of this report, which was obtained from the Comptroller's office, when the collectors make their returns, and have to account for receipts used, many counties are shown to be selling whisky that are returned to this office as local option. To the above can be added about nineteen others that have voted themselves dry within the last twelve months.

"The following counties have been reported to this office as voting local option in the year 1902: Smith, Van Zandt, Trinity, Taylor, Limestone, Morris, Hill, Hunt, Denton, Collin, Montague, Wise, Parker, Ellis, Eastland, Leon, Red River, and Hopkins."

Judge Cunningham also devoted attention to some stock brokers, lawyers and others who evade the payment of occupation taxes, and made numerous suggestions for increasing the effectiveness of the office and the better collection of State revenues. The legislative attention was engrossed by other matters that could not be delayed, and it failed to reach and act upon the subject matter he presented.

FISH AND OYSTER COMMISSIONER.

I. P. Kibbe,¹ Commissioner, reappointed by Gov. S. W. T. Lanham, and confirmed by the Senate January 23, 1903. Appropriations for the two years ending August 31, 1905: \$1800 per annum for salary of Commissioner and a total of \$600 a year for office rent and traveling and other expenses of Commissioner.

Mr. Kibbe's report for the year ending August 31, 1902, effectually disposes of the strictures aimed at the fish and oyster law and the manner of its enforcement. This part of his report is characterized by a candid and convincing submission of facts, sturdy manliness, and sound sense, and is followed by recommendations calculated to secure needed legislative action to protect the rights of investors, build up the fish and oyster industry, and increase State revenues. Among much else, he says:

"The mere fact of collecting license from the fishermen is and should be a secondary consideration, and if nothing further is contemplated by the law, the sooner it is repealed the better. Regardless of the opinion of others, my observation has convinced me that having a closed season for the north shore for all bays along the coast for breeding grounds is very beneficial, as it localizes fish to these localities if nothing more, but I have good reason to believe that the north shore is the only place on our coast that the fish breed, both showing the importance of protecting and patrolling these bays during the closed season. But this can not be done by anyone for \$150 per year.

"I prepared a bill providing for an appropriation of \$600 per annum for four deputies to have jurisdiction over the entire coast. The bill required them to furnish boats, etc., and stipulated that each be paid \$50 per month while actually in service, the bill also provided that all seine licenses should be five cents per fathom for six months instead of twelve, and the State to receive all fees of every description. If this bill had been passed the State would pay out \$4800 per year, and, taking my report of 1896 for a basis, would get back \$2678 as fees, leaving the expense \$2122 per year instead of \$2400, and have five men continually in service. The fees and rents on location would reduce this and in five years would more than pay all expenses. Possibly it would be better to increase the revenues until they would meet the expense by charging a small amount on each barrel of oysters and each pound of fish; the products of the water should pay to the State a sum equal to the expense, as the waters belong just as much to the State as the public domain.

"Other States have adopted this plan and are now reaping a very fair revenue from their oyster beds especially.

¹For a history of the Commission, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

"* * * I know of no department in the State that is run on so little money which promises such a future revenue or will develop a greater industry. It is an established fact that a large per cent of the government expenses of Maryland and other States are met with the revenues from their oyster beds and rents on locations, and it is only a question of time when Texas can and should do the same, but this can not be accomplished by returning to the fee system to pay the necessary force unless the fees are adequate, and I hold in that case the services would be much more satisfactory to all concerned if the State would pay the entire force and receive all fees as previously suggested. The dealers would much prefer this, the fishermen would get more protection and benefit for the amount they paid, the State would have more efficient service, by the law being properly enforced it would increase the product, which means an increase of trade to the dealers and fishermen and a benefit to the State.

"The trade for the past year has been very satisfactory to most of the dealers on the coast. Mr. Warrach, of Port Lavaca, has completed a large fish and oyster house with cold storage, etc., at a cost of several thousand dollars; Mr. Gentry, also of Port Lavaca, built a house some three years ago of about the same capacity and cost, showing that these gentlemen have found the fish and oyster business satisfactory; and I think that the same can be said of Rockport and Corpus Christi. Two new corporations have lately obtained charters as dealers in fish and oysters, and I am informed that they will open business in Matagorda in a short time. It is also reported that fish houses will be opened at Velasco, Brazoria county, and at the new town now being established at Hamilton Point in Matagorda county.

"* * * Rents on locations made under the old law are ten cents per acre per annum and twenty-five cents per acre per annum thereafter, while those under the new law pay twenty-five cents per acre per annum for the first five years and one dollar per acre per annum thereafter."

Old locations reported 850 acres; new, 840 acres. Continuing, he says: "Owing to the mild climate along the entire coast of this State gives the spawn a long growing season, rendering the oyster very prolific and of quick growth. There are numbers of instances in this State where oysters have been known to obtain a growth of over four inches in length in less than two years from the spat, thus showing that four years is sufficient time to produce a good marketable oyster. In this State oysters have but few enemies, the drum fish being the most dreaded. There are no star fish and but few worms and conchs. We have along the coast about forty bays, lakes and coves; but few, if any, without natural oyster beds, hence there is no lack of seed oysters within easy reach of good grounds for locating.

"The above facts, with the climatic advantages and area of territory, enable Texas to offer inducements to the oyster grower equal, if not superior, to any other State in the Union, and the law gives to any citizen of the United States the right to make a location.

"* * * Responsible business men and other citizens of high standing in the coast country, have located oyster claims under the law, and are freely expending money to develop them. These citizens, as well as thousands of other intelligent Americans on the coast, where the facts pertaining to this important industry, as it affects them directly and the 3,000,000 people of the State at large to an almost equal extent, are best understood, well know and recognize the urgent need of an efficient Fish and Oyster Commission, and their confidence that the State will accept the annual acreage tax in good part and afford them the police protection for their planted beds that is needed, induced them to freely invest their money and devote their time and labor on locations selected. Go backwards in this class of legislation instead of profiting by the experience of other States and the people of Texas will be compelled in the immediate future to depend solely upon the limited supplies of nature for their oysters and fish. Nature can no more meet the demands for food in this direction than it can afford an adequate meat supply. Without protecting laws the claims now located and being worked upon will be abandoned and we will see an end of development in this direction.

"* * * Another very important feature of the Fish and Oyster law is article 2518s, passed by the Twenty-sixth Legislature and suggested by this department, which gives the Commissioners Court of any county having within its borders any public stream, lake or pond the right to appropriate as much as \$200 per annum for the purpose of stocking and protecting said water. It seems to me the advantages to the State or citizenship is so obvious that further comment is unnecessary, yet I can not refrain from saying that if each county so situated would take advantage of this law, that in eight or ten years nearly every stream in the State would be stocked with fish, and the benefit would be inestimable to the people."

Mr. Kibbe gives the following as to the fish industry of the coast for the year ending August 31, 1902: Fish, 5,899,000 pounds, value \$231,-910; turtle, 91,100 pounds, value \$3458; shrimp, 63,000 pounds, value \$2520; oysters, 123,709 barrels, value \$122,909; terrapin, 230 dozen, value \$1190; crabs, 21,700 dozen, value \$3255. Total value of product marketed, \$365,454.50.

TEXAS STATE PENITENTIARIES.

Superintendent of Penitentiaries Searcy Baker, of Grimes county. Assistant Superintendent of Penitentiary at Huntsville, Thomas H. Brown, of McLennan county. Assistant Superintendent of Penitentiary at Rusk, John B. Reagan, of Cherokee county. Assistant Superintendent in charge of House of Correction and Reformatory at Gatesville, L. J. Tankersley, of Bell county. Financial Agent of the Peniten-

tiaries, John L. Wortham, of Limestone county. Assistant Financial Agent at Rusk, J. H. Walker, formerly Chief Clerk in the office of the Comptroller of Public Accounts. Inspectors of Penitentiaries, Clifford A. Adams, of Brazos county, and Charles J. Brady, of Williamson county. Board of Penitentiary Commissioners, L. M. Openheimer, of Travis county; S. M. Fry, of Tarrant county, and J. L. Ellison, of Caldwell county.¹

A special act was passed by the Twenty-eighth Legislature appropriating \$150,000 for the rehabilitation of the iron industry at the Rusk penitentiary on a basis and with safeguards that it is believed will insure success. Exclusive of the foregoing, the Legislature appropriated (in the general appropriation bill) a total of \$181,900 and the proceeds of all convict labor for the penitentiaries at Huntsville and Rusk, and a total of \$77,210 for the Reformatory and House of Correction at Gatesville, the proceeds of convict labor at the Reformatory to be utilized to make up the latter amount and only the difference between said proceeds and the appropriation to be paid out of the State treasury. Included in the \$181,900 for the main penitentiaries is \$55,525 for a sugar mill on Harlem State farm.

The biennial reports of the Commissioners, Superintendent and other principal officers for the two years ending August 31, 1902, constitute a most creditable and encouraging showing.² Conditions now prevailing compared with those that existed prior to 1883, under the system of leasing to private individuals, present a contrast as radical and striking as exists between light and darkness, humanity and cruelty, and profit and loss.

The management of the penal institutions has been characterized by the highest business sense and energy, as is evidenced by the fact that the great losses aggregating \$288,235.29 sustained by flood and other causes at the beginning of the Sayers administration, have been overcome, all expenses of maintenance paid, and a cash balance of \$4192.60 accumulated from the earnings of the system. During this period \$80,000 was expended for the purchase of the Clemens farm and \$291,277.68

¹ All of the officers mentioned (with the exception of the Assistant Financial Agent, who is an appointee of the Board of Penitentiary Commissioners) were appointed by Gov. Lanham in January, 1903, and confirmed by the Senate of the Twenty-eighth Legislature. The nominations of the Board of Penitentiary Commissioners were sent to the Senate January 27; those of the other officers January 23. Baker was first appointed superintendent by Gov. Sayers to succeed J. S. Rice, who resigned in the spring of 1902.

² The alleged defalcation of Mr. Busby, late Assistant Financial Agent at Rusk, in no way militates against it. Such incidents will occur despite the exercise of the best business judgment, as in the conduct of human affairs it is often necessary to repose confidence in those deemed worthy of trust and that is sometimes abused. At this writing, August, 1903, there seems to be a strong doubt as to whether there was any defalcation, and, if any, it appears probable that there was no criminal intent. Mr. Busby recently visited Austin, and declared that, if investigation shows him indebted to the State, he will immediately pay the amount, whatever it may be.

invested in betterments, enlargement of industries, and important additions to real estate.*

The total value of property of all kinds belonging to the penitentiary system August 31, 1902, was \$3,181,410.54.

Total number of convicts on hand August 31, 1902, 3865,* of whom 31.67 per cent were whites, 56.72 per cent were negroes, and 11.61 per cent were Mexicans. Number of convicts pardoned during preceding twenty-two months, 336; escapes, 152; recaptures, 70; net escapes, 82. Total number of convicts killed from the year 1899 to August 31, 1902, 15. Average cost per capita for transferring convicts from jails to the penitentiary, \$13.01. The Superintendent says:

"For first class labor on contract farms the State receives \$20 per month; for second class labor it receives \$17 per month. At these figures the State clothes and feeds the convicts, and furnishes bedding, medical attention, etc.

"The number of farms which are worked on shares is at present seven: The Burleson & Johns, Whatley & Herring, Williams, T. A. Thomson, T. L. Fairris, Wm. Dunovant No. 1, and Johnson, the last named is where the women are confined.

"At present we have but one railroad force, the Galveston, Harrisburg & San Antonio, for which we receive \$1.25 per day per man.

"The net receipts during the past twenty-two months was \$19,089.03; the net earnings per capita per month being \$12.54.

"Fuel oil is now being used at the Huntsville and Rusk penitentiaries and at the Harlem State farm. It is very satisfactory and is much cheaper than any kind of fuel used before.

"I would recommend that as soon as practicable the prison buildings at the Huntsville and Rusk penitentiaries be fitted to be heated by steam, and to use oil as a fuel. This will eventually prove a great saving to the State. * * *

"All sergeants and guards are instructed and continuously admonished not to shoot convicts until all other methods to prevent their escape or successful mutiny have been exhausted. * * *

"The prison rules and regulations promulgated by the board declare that no sergeant or guard shall inflict corporeal punishment upon a convict without first receiving permission therefor from some superior officer authorized by law to give the necessary order for the same. * * *

"Any unkind treatment, overbearing conduct or profane and abusive language towards convicts by the sergeants and guards is strictly pro-

* For a history of the penitentiary system from its inception to the present time and a list of all important officers connected with it (from the beginning) and their terms of service, method of dealing with convicts during the Republic of Texas, extent to which the penitentiary was utilized for the safe-keeping of Federal prisoners during the war between the States, etc., see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

* Total number on hand June 30, 1903, 4044.

hibited, and an infringement of this regulation meets with prompt punishment. Of course, in a system as large as that involved in the conduct and management of the penitentiaries and prison interests of Texas, where the service of several hundred men is constantly required, some unsatisfactory and objectionable characteristics in those charged with the handling and supervision of convicts will occasionally come to the surface; but as soon as discovered, the rule of the board and management has been to summarily dismiss such persons, and to provide against a recurrence of these abuses by declining to permit their re-employment in any branch of the penal service.

"* * * Whenever an employe has proved obedient to all prison rules, and demonstrated a peculiar adaptability for handling and controlling convicts in a kind, considerate and humane manner, the policy of the board and management has been to continue him in the service as long as possible, rather than to turn out an experienced and faithful servant to make room for a raw and untried novice. The many years that these rules have prevailed in the system attest and accentuate their importance and usefulness as a factor in the securement of fair, impartial and proper treatment towards the penitentiary inmates of the State.

"The prison rules provide that no convict shall be required to work when known to be sick, and a strict enforcement of this prohibition is emphasized throughout the entire system. Prompt and competent medical attention is furnished the prison inmates and the occupants of outside camps, and all serious or chronic cases among the latter are sent to the prison hospitals, where facilities for successful treatment are better and nurses and physicians at all times accessible.

"Pronounced consumptives and all convicts suffering with incipient pulmonary troubles are isolated from their fellow prisoners, and treated and maintained at Wynne farm, near Huntsville, where light outdoor employment and fresh air and sunshine give many of these unfortunates a new lease on life. The prison officials of our sister State of Louisiana have recently adopted a similar method of caring for their consumptive convicts, having been impelled to adopt this course by the splendid success attending the plan of separate maintenance for such prison inmates in Texas. The greatly lessened mortality among the penal population, as disclosed by the records, speaks volumes in favor of the efficiency of this branch of prison service. During the two years ending October 31, 1900, there were 269 deaths from all causes; while for the year and ten months closing August 31, 1902, only 164 deaths occurred."

The penitentiary problem in Texas may be said to have been solved. This result has been accomplished by the establishment of a system of State farms consisting of rich Brazos bottom lands, thoroughly improved and equipped with the latest and best implements and machinery. It is now certain that it is a question of but a short time when the convicts will not only be self-supporting, but be made to earn (and that without being subjected to cruel treatment), interest on the investment and,

during the terms served by them, much more than it cost the State to apprehend and convict them. Further, those serving less than life-sentences, with few exceptions, will be returned to society wiser and better men, who by upright living will atone, at least in a measure, for the evil done by them in their earlier years.

DEPARTMENT OF EDUCATION.

Arthur Lefevre, Superintendent of Public Instruction; re-elected November 4, 1902; salary \$2500 per annum and \$500 a year for actual traveling expenses in the discharge of the duties of his office. Assistants: one chief clerk and five clerks, and during the months of July and August two extra clerks. Total appropriation for the support of the department for the two years ending August 31, 1905, \$24,400, said amount including \$6600 for printing and distributing record books, blanks, etc. [For a complete history of the department, list of incumbents who have filled the position of Superintendent, duties of that officer, etc., see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas; price \$2.]

The following statistics and statements are gathered from the biennial report of Mr. Lefevre, covering the scholastic year ending August 31, 1902:

Total scholastic population for year ending August 31, 1902, 739,573, of whom 574,513 were white and 165,060 colored; per capita, \$4.75; total apportionment, \$3,512,971.75.

Total number of pupils enrolled for year ending August 31, 1902, 712,629, of whom 621,889 were within the school age, 27,004 over school age, 63,736 under school age.

Total average daily attendance of pupils within the school age in the entire State, 468,674—white, 383,354; colored, 85,654—all pupils (including those over and under age), 523,706. District counties, 196; community counties, 32; independent districts, 288.

Total number of teachers employed for year ending August 31, 1902, 15,374, of whom 12,247 were white and 3127 colored.

Total number of schools taught in the State, 12,750, of which 10,214 were white and 2536 colored. Total number of days teaching done by all teachers, 1,591,834. General average school term for the State, 101.91 days (5.10 months); white 100.99 days (5.05 months); colored, 105.51 days (5.28 months). In the 288 independent districts schools were taught an average of 163.03 days (163.73 for white and 159.70 for colored schools), equivalent to 8.15 months. Rural schools in district counties were taught an average of 4.23 months; in community counties, 4.71 months, in district and community counties, 4.34 months. Pupils unable to read when they entered school, 129,431—white male, 49,169;

white female, 42,883; colored male, 18,651; colored female, 18,728. Total number of graded schools, white 1232; colored, 418. Total number of ungraded schools, white, 6949; colored, 2177.

Grand total paid teachers, \$4,153,271.16.

For the year ending August 31, 1902: School houses owned by deed to the State, county or school corporation, 8827—white, 7169 (wooden, 6855; brick, 193; stone, 121); colored, 1658 (wooden, 1642; brick, 14; stone 2); leased or rented, 2499—white, 1552 (wooden, 1476; brick, 33; stone, 43); colored, 947 (wooden, 928; brick 19).

Value of school houses built during the year ending August 31, 1902, \$516,032. Value of school houses owned by deed August 31, 1902, \$8,296,510. Value of school furniture, \$854,140. Value of libraries and apparatus, \$137,907. Value, at the same date, of school property in the rural schools in district counties: White, \$2,702,065; colored, \$180,842; total, \$2,882,907. Of property in rural schools in community counties: White, \$396,957; colored, \$114,098; total, \$511,055. In rural schools, district and community counties: White, \$3,099,022; colored, \$294,940; total, \$3,393,962. In independent districts: White, \$5,366,731; colored, \$527,864; total, \$5,894,595, making the total value of all school property in the State, \$9,288,557.

Total amount apportioned for the support of schools, out of State and county funds, for the year ending August 31, 1902, by County Superintendents: White schools, \$2,832,718.71; colored, \$685,932.07; total, \$3,518,650.78. Amounts received from local taxes to supplement the school fund: White schools, \$1,086,336.64; colored, \$18,076.10; total, \$1,104,412.74. Amounts received from tuition of unders and overs, donations and other sources: White schools, \$256,405.86; colored, \$8960.50; total, \$265,366.42. Grand total amount of school funds reported by county and city superintendents, \$4,888,429.94. Net amount actually disbursed for public free schools,¹ \$5,945,240.50; of this amount \$4,245,417.97 was from State and county apportionment, and \$1,699,-822.53 from local taxation, tuition, etc. The county available school fund (included in the foregoing), amounted to \$364,016.52.

For the year ending August 31, 1902: Bonded indebtedness of independent school districts for building school houses, \$2,927,550. Assessed value of property on which bonds are based, \$292,154,924. Near the beginning of the year the indebtedness was \$3,007,350, but was reduced by the payment of bonds amounting to \$79,800. Total permanent fund held by counties, \$6,596,506.17.

In his report Mr. Lefevre says: "The duly classified investments of the State permanent school fund (distinct from the county permanent school fund), are recorded in the annual report of the State Treasurer. He reports a sum total of cash, bonds, notes, and leases (capitalized on

¹This does not include amounts expended for the support of the University of Texas, Agricultural and Mechanical College, State Normal School, and the education of the deaf, dumb and blind. For figures, see articles devoted to those institutions.

a basis of 3 per cent), on September 1, 1902, of \$40,283,330.84; and estimates an income for the year ending August 31, 1903, of \$1,353,-969.57.

"The diligence of the State Board of Education in investing the permanent school fund, the new law permitting its investment in the bonds of municipalities and independent school districts, and the increase of taxable values, has made it possible for the board to declare a per capita basis of apportionment for the year 1902-1903 of \$4.90.

"This is the highest point reached since 1893, and has been feasible in spite of an unusual increase in the scholastic census, and of the most conservative estimates of the resources of the fund for the ensuing year. The increase in scholastic population since 1893 has been 154,194, and 20,289 since the last preceding census. That the available fund should more than keep pace with the increasing population proves both administrative skill and fidelity, and the rapid development of wealth in the State; and the coincidence of such conditions with such signs of educational progress as have been previously indicated (still more significant because indicative of enlightened purposes of the people) makes a most encouraging augury of the future."

The following interesting and valuable table is copied from the report:

COMPARATIVE TABLE OF SCHOOL POPULATION AND APPORTIONMENT, TAKEN FROM THE CENSUS REPORTS FOR TWENTY-TWO YEARS.

Years ending Aug. 31	State School age.	School population.			Apportionment.		Percentage of increase of school population	Total enrollment.
		White.	Colored.	Total.	Per capita	Total.		
1872.....				229,568	\$1 81	\$405,518	.....	.....
1873.....				.....	.....	.....	.....	.....
1874.....				269,461	1 95	545,449	.....	.....
1875.....				313,061	1 59	497,767	10	.....
1876.....				340,000	1 47	499,800	8½	.....
1877.....				170,000	2 82	479,400	1	.....
1878.....				168,294	4 50	757,323	1	.....
1879.....				204,577	4 25	869,474	15	192,654
1880.....				226,439	3 00	679,317	10½	186,786
1881.....	8-14	193,974	37,897	261,871	3 00	785,613	15½	107,199
1882.....	8-14	197,372	69,337	266,709	3 25	900,000	1.8	177,562
1883.....	8-14	199,434	96,023	295,457	3 61	1,068,323	10½	183,849
1884.....	8-14	.....	.....	311,134	4 50	1,399,873	5 1-3	204,799
1885.....	8-16	298,631	108,301	406,932	5 00	2,034,100	30	303,843
1886.....	8-16	336,737	105,941	452,678	5 20	2,353,925	11	350,340
1887.....	8-16	365,353	124,442	489,795	4 75	2,326,526	8	300,596
1888.....	8-16	377,378	130,500	507,878	4 50	2,285,451	3.6	364,744
1889.....	8-16	392,926	135,184	528,110	4 00	2,112,440	4	378,767
1890.....	8-16	405,677	139,930	545,616	4 00	2,182,464	3.3	390,000
1891.....	8-16	422,780	142,892	565,672	4 50	2,545,524	3 3-5	443,885
1892.....	8-16	436,341	147,494	583,835	4 50	2,827,257	3 1-5	449,792
1893.....	8-16	453,810	151,685	605,495	5 00	3,027,475	3.7	484,396

¹ Decrease.

COMPARATIVE TABLE OF SCHOOL POPULATION AND APPORTIONMENT, TAKEN FROM THE CENSUS REPORTS FOR TWENTY-TWO YEARS—Continued.

Years ending Aug. 31	School age.	School population.			Appportionment.		Percentage of increase of school population	Total enrollment.
		White.	Colored.	Total.	Per capita	Total.		
1894.....	8-17	472,963	157,340	630,303	4 50	2,836,363	4	515,528
1895.....	8-17	526,101	167,651	693,752	3 50	2,428,132	10	519,151
1896.....	8-17	547,570	171,079	718,649	3 50	2,515,271	3½	539,064
1897.....	8-17	572,093	179,948	752,041	4 00	3,008,164	4¼	536,856
1898.....	8-17	589,551	187,318	776,867	4 00	3,107,468	3.3	562,272
1899.....	8-17	547,217	160,908	708,125	4 50	3,186,582	.....	552,503
1900.....	8-17	547,479	159,067	706,546	4 25	3,002,820	.....	578,418
1901.....	8-17	564,500	164,717	729,217	4 75	3,463,780	3.2	571,786
1902.....	8-17	574,513	165,060	739,573	4 75	3,512,971	1½	621,889

^a Decrease 8 4-5 per cent because of revision of census law.

^b A continued decrease because of a more accurate census.

Note.—The statistics of the schools of the State during the earlier years of their history were in many respects inaccurate and incomplete, as the above table shows. For the years from 1872 to 1880, and for 1883-84, the reports of the scholastic census do not show the respective number of white and colored children. The late reports show the number of each race, as well as the numbers of males and females of each race, but it is not deemed necessary to show in this connection the number of males and females.

“There are,” says Mr. Lefevre, “many unmistakable evidences that Texas is upon the eve of a period of notable activity in educational work, that work which has been justly described as the prime business of a republic; and there are grounds for good hopes that this awakening energy may be so directed that an era of true advance and invigoration in the sphere of education may coincide with and secure and glorify the material development that is opening such magnificent prospects to Texas. Such a coincidence would constitute the choicest mark of divine favor.”

UNIVERSITY OF TEXAS.

AUSTIN.

William Lambdin Prather, President. The general appropriation bill passed by the Twenty-eighth Legislature, contained the following, relating to the main University (at Austin), after enumerating the specific purposes for which appropriations were made:

“The sum of \$125,000 for the year ending August 31, 1904, and \$125,000 for the year ending August 31, 1905, is hereby appropriated out of the general revenues of the State to pay the sums of money above set

forth and mentioned and not more than \$40,148.34 out of the available University funds, including the interests from its bonds and land notes, income from its land leases and all fees collected and all other receipts and revenues of the University is hereby appropriated to pay the remainder of the sums of money above set forth and mentioned and the remainder of the University funds, including the interests from its bonds and land notes and income from its land leases and all the fees collected and all other receipts and revenues, is hereby appropriated to erect buildings and make such extension and improvements to the buildings of the University and for such other uses as shall be deemed best and advisable by the Board of Regents of the State University; and provided further, that the Board of Regents are authorized to employ any of the teachers and other employes above mentioned at a different salary if practicable or by them deemed expedient, and also to add any additional teachers or other employes at salaries to be fixed by the Board of Regents; provided, further, that the Board of Regents may modify and adjust the items of expense as conditions demand." And the following, relating to the Medical Department of the University (at Galveston): "And the sum of \$48,006.66 is hereby appropriated out of the general revenues of the State for the year beginning September 1, 1903, and ending August 31, 1904, and the same sum is hereby appropriated out of the general revenues for the year beginning September 1, 1904, and ending August 31, 1905, and the fees of said Medical Branch of the University for each of said years is hereby appropriated for each of said years to pay the above mentioned sums of money; provided, the Board of Regents of the University of Texas are hereby authorized to employ any of the above named and mentioned teachers and employes at a different salary if by them deemed best or advisable, and also to add additional teachers or other employes at salaries to be fixed by the Board of Regents; provided, further, that the Board of Regents may modify and adjust the items of expense as conditions demand."

The following Board of Regents, nominated by Gov. Lanham, was confirmed by the State Senate January 28, 1903: T. S. Henderson, of Milam county; Geo. W. Brackenridge, of Bexar county; F. M. Spencer, of Galveston county; T. W. Gregory, of Travis county; Beauregard Bryan, of El Paso county; J. N. Browning, of Potter county; Ben E. Cain, of Smith county, and H. M. Chapman, of Tarrant county.¹

In their report, issued in October, 1902, the Board of Regents devote considerable space to statements concerning the work of collecting and classifying materials for Texas history being performed by the University, the University Mineral Survey, and other topics.

The report shows the University to be in a flourishing condition. The total enrollment for the session of 1901-1902 was 1378 students.

¹ For a history of the University, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

AGRICULTURAL AND MECHANICAL COLLEGE OF TEXAS.¹

David F. Houston, president. Total appropriation (excluding items vetoed by the Governor) for the support of the institution for the two years ending August 31, 1905, \$205,200 and interest on \$200,000 of State bonds held by the college fund. The Board of Directors in their biennial report, September 22, 1902, asked for the following total appropriations for the two years ending August 31, 1905: College departments, \$329,000; student labor, \$10,000; experiment stations, \$36,000 (of which \$10,000 was for a new station); textile department, \$30,000.²

President David F. Houston, in his report said: "During the session of 1901-1902 there was a total enrollment of 467 cadets, classified as follows: Postgraduates, 3; first class, 33; second class, 57; third class, 112; fourth class, 218; electives, 26; specials, 9; short courses, 9; total, 467. According to courses, the students were grouped as follows: Civil engineering, 98; mechanical engineering, 116; agricultural, 206; electives, 26; specials, 9; short courses, 9; postgraduates, 3.

"For several years the serious work of the college has been hampered by the presence of large numbers of immature untrained boys. In many instances these boys were sent here by parents who did not know what else to do with them. Their ultimate aim was not to have their sons made engineers of themselves, or farmers, or stockmen. They placed them in the college because it was remote from the attractions of city life, or because they desired them to profit by the military training in preparation for a course in literature, law, or medicine in some other institution. It needs no argument to show that the presence of such students not only seriously obstructs the efforts of the professors to do justice to the more serious minded students in their classes, but creates a very false impression in the State as to the purposes of the college. To meet this difficulty, the faculty, under authority from the board of directors, raised the age requirement to 16 and increased the admission requirements, especially for the engineering courses. These requirements, strictly enforced, resulted in a slight decrease in the attendance at the opening of this session, but in a marked improvement in the quality and attitude of the student body. Before next session it would be eminently wise to apply the same requirements to the agricultural course, making provision for the admission of serious mature students without any examination whatever. We should then have at the college only men who have a serious purpose and who desire to become engineers, farmers, horticulturists, dairymen, or stockmen. The instructors would

¹ For a history of the College, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

² An appropriation was made for this purpose. See article entitled Twenty-eighth Legislature.

be stimulated and the work all along the line would be done with vastly more enthusiasm.

"* * * The law governing the college at present, as set forth in the Revised Statutes of Texas, in conformity with the constitutional provision, defines the objects of the college to be to promote the liberal and practical education of the industrial classes of the State in the several pursuits and professions of life. Viewing the constitution of Texas, the statutes bearing on the subject, and the action of the people in locating the college, it seems clear that it is a matter of State policy to furnish at the Agricultural and Mechanical College industrial or technological training of every kind whatsoever to the young men of the State. It seems clear that the college was intended to be, in the largest sense, the technological institution of Texas. Constitutionally, it is a branch of the University devoted to technological training just as the Medical College at Galveston is a branch of the University devoted to medical instruction. The College is, therefore, a complement of the University, offering instruction in all technological subjects."

In their report to the Governor the Directors say: "We unanimously strongly indorse the President's recommendations and urge that you request the Legislature to make appropriations sufficient to carry them out. The time has come for Texas to have a great technological institution. Leadership in all industrial lines is greatly needed. No machinery for furnishing leadership has yet been devised superior to that of the great industrial educational establishments. As citizens of Texas, and especially as supervising authorities of the Agricultural and Mechanical College, we have felt a pride in the achievements of the college.

* * *

SAM HOUSTON NORMAL INSTITUTE. HUNTSVILLE.

H. C. Pritchett, principal; has filled the position since August, 1892; salary \$2000 per annum, to be supplemented possibly from the Peabody fund. Total appropriation for the Institute¹ for the two years ending August 31, 1905, \$78,600.

The catalogue of the Institute for 1901-2, "with announcements for 1902-3," shows that it is being maintained at its usual high standard by Dr. H. C. Pritchett, the scholarly principal, and his corps of assistant teachers. The total enrollment of students for 1901-2 is given as 442; total number of counties represented, as 136, and the total number of students enrolled during the past twenty-three years, as 6004.

¹ For a history of the Institute and a list of those who have served as principal, and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

**NORTH TEXAS STATE NORMAL.
DENTON.**

J. S. Kendall, Superintendent; salary, \$2500 per annum, to be supplemented, possibly, from the Peabody fund.

Total appropriation for the institution for the two years ending August 31, 1905, \$130,500, of which amount \$40,000 is for the erection of a two-story brick building.

The first session of this school began September 18, 1901, with Mr. Kendall, and an excellent corps of teachers in charge. During the first week of the session three hundred students matriculated, and this number was subsequently increased to 511, representing 129 counties of Texas. The summer session taught during the months of June and July, 1902, for the accommodation of teachers who could not attend the regular session of the Normal, was attended by 270 students, from seventy-six counties of the State. The total net enrollment for the year, including the summer session, was 732.

The catalogue of the Normal, issued August 1, 1902, contains the following:

"In the language of the statute, this school has been established 'for the special training of teachers.' Thus limited by law to one department of educational work, the school will be devoted exclusively to the object of its creation. Having the public school branches as a basis, it will deal with and seek to develop the principles which underlie all education. It will not in any sense be a rival of college or university, nor yet will it assume the duties of the high school or academy. In a general way it must partly enter the domain of all these. Texas demands annually for her public schools twelve thousand or more white teachers, and to aid in increasing from year to year the efficiency of this large body of civic laborers, is the special province of the normal school.

"The entire instruction given by the Normal embraces three annual sessions of thirty-six weeks or nine scholastic months each. The first year is designated as the Freshman, the second as the Junior, and the third as the Senior year. Each annual session is divided into three equal periods of twelve weeks each, and are known as the Fall Term, the Winter Term, and the Spring Term.

"Two courses of study of equal disciplinary and culture value are offered the student on entering the Normal. One of these is called the Latin Course and the other the English-Science Course. The former requires three full years of study of the Latin language, its history and literature. The English-Science Course requires in the place of Latin, an equivalent amount of work in natural science, with use of laboratory, and an extended study of English literature in the library by laboratory methods.

"The two courses are identical in all respects excepting the differences

above stated, and both lead to graduation with equal distinction. And while the choice of these two courses is given the student, his previous preparation will chiefly determine the selection, since the difficulties in one course are fully equal to those in the other course."

Of those who attended the annual session of 1901-2, 378 were scholarship and 133 non-scholarship students. Second grade certificates were granted to 147 students, first grade certificates to 112, and diplomas to 27.

The catalogue shows the Normal¹ to be thoroughly organized, successful from the beginning, and well launched on its career of usefulness.

¹ For a history of the establishment of the Normal, and description of site and buildings, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

SOUTHWEST TEXAS NORMAL SCHOOL.¹ SAN MARCOS.

T. G. Harris, Superintendent; salary, \$2000 per annum, to be supplemented, possibly, from the Peabody fund.

The opening session of the institution began September 1, 1903.

The general appropriation bill passed by the Twenty-eighth Legislature, carried a total of \$36,000 (\$18,000 for each year) for the "maintenance" of the school, but a mistake was made in enrolling the bill, which reduced the amount to \$3600. Attached to the appropriation for the superintendent's salary was a proviso that caused Governor Lanham to very properly veto that item and, in filing his reasons therefor, to submit observations whose force and justice the people of the State acknowledge and commend. The total appropriation that will be available for the support of the institution will be \$59,131. This is \$26,400 less than the Legislature intended. It will consequently have to be run on deficiency, which can be done under an admirable provision of law which authorizes the Governor, under such circumstances, to approve the issuance of deficiency warrants, which it is the duty of the next succeeding Legislature to cover by an appropriation.

The Southwest Texas Normal School is supplied with a superb main building and necessary smaller structures, all located on Chautauqua Hill, a beautiful, healthful and romantic site in the environs of the picturesque town of San Marcos. The moral atmosphere of the place is no less salubrious than the balmy mountain air and gulf breezes that even in mid summer temper to delightful coolness the ardent glow of the sun, the faculty is exceptionally strong, and it is reasonable to expect

¹ For a history of the establishment of the Southwest Texas Normal School see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

that from this normal, through coming years, will flow steadily into the turgid mass of the State's toiling millions a clarifying, purifying, and invigorating stream of young men and women equipped with knowledge, supplied with the compass of wisdom, and panoplied with the armor of virtue, who will battle for and help preserve all that is good and true and contribute a valuable part in carrying forward the work of development and progress in Texas.

For superintendent no better selection could have been made. Prof. Harris was born in Tennessee in 1854; graduated from Carson-Newman College in that State with the degree of A. B. in 1876; taught school in Tennessee and did post graduate work at the college for three years, receiving the degree of A. M. in 1879; came to Texas in that year and taught school in Denton county; taught a country school in Parker county in 1880, and in the city schools of Weatherford in 1881 and 1882; was superintendent of the city schools of Weatherford in 1883; taught mathematics in Mansfield College, Tarrant county; was co-principal and co-proprietor of Plano Institute, Collin county, from 1884 to 1889; was for two years thereafter principal of the city high school in Dallas and then for two years superintendent of the Dallas city schools; left Dallas in 1893 to become principal of the city high school in Houston; served as such for two years and was then elected superintendent of the city schools of Austin, a position he held until chosen by the State Board of Education (composed of the Governor, Comptroller of Public Accounts, and Secretary of State) superintendent of the Southwest Texas Normal School. He has made a number of valuable contributions to educational literature—in the form of addresses, afterwards printed, pamphlets on various subjects, and articles published in the Texas School Journal, from 1891 to 1896, while he was its editor.

He has served on various county boards of examiners and on the permanent State board of examiners from 1893 to 1899, and was president of the board from 1896 to 1899. Every summer since 1882 he has regularly participated in summer normal work as teacher, conductor, or lecturer—in the State School of Methods at Waco in 1897, and in the University of Texas in 1898.

The foregoing is the path he has trod from the day he first asserted his presence and rights in the world to the hour the clock hands now indicate and that finds him entering upon the most important and exacting labors he has yet encountered—a map-tracing, as it were, that shows on a flat surface a line containing curves and angles, dotted and dated, but that gives none of the dangers he has braved, none of the difficulties he has encountered, and none of the toil he has endured to attain what he has accomplished.

It may safely be presumed, however, that he, like others, has traveled no primrose way to success. The story of Sindbad the Sailor has embedded in its fiction a profound truth that is clear to the seeing eye. Professor Harris has the best wishes of the "Year Book" in his new position.

**INDUSTRIAL INSTITUTE AND COLLEGE FOR WHITE GIRLS.
DENTON.**

President Cree P. Work, elected by the Board of Regents; salary, \$3,000 per annum.

Board of Regents appointed by Governor Lanham January 27, 1903: Birdie R. Johnson, Tyler; Clarence Ousley, Galveston; Helen M. Stoddard, Fort Worth; A. P. Wooldridge, Austin; John A. Hann, Denton; Eleanor Brackenridge, San Antonio, and Rosser Thomas, Waco.

Total appropriation for the institution for the two years ending August 31, 1905, \$82,833, of which amount \$17,333 is to equip the building, and \$50,000 to pay the salaries of teachers and employes. The opening session will begin September 23, 1903.

The college owes its existence to an act of the Twenty-seventh Legislature, approved April 23, 1901, that appropriated \$50,000 toward its establishment.

W. D. Cleveland, of Harris county; J. B. Roberts, of Tyler county; R. T. Milner, of Rusk county; J. H. Rowell, Sr., of Marion county; Rosser Thomas, of Fannin county; O. B. Colquitt, of Kaufman county; W. L. Rodney, of McLennan county; Helen M. Stoddard, of Tarrant county; A. P. Wooldridge, of Travis county; John M. Moore, of Fort Bend county; E. A. Atlee, of Webb county; George H. Pfeuffer, of Bexar county, and J. E. Hooper, of Mitchell county, commissioners appointed by Governor Sayers to select the site, met at Waco October 1, 1901, organized by electing O. B. Colquitt president, A. P. Wooldridge vice-president and Mrs. Helen M. Stoddard secretary, and arranged to leave Austin, January 7, 1902, to visit the following places: San Antonio, Austin, Taylor, College Station, Waco, Walnut Springs, Dublin, Hillsboro, Denton, Amarillo, Greenville, Terrell, Jefferson, and Huntsville, applicants for the location.

Having completed this itinerary, the commissioners held a session at Austin, at which, on the seventy-sixth ballot, about seventy acres of land in the northeastern suburb of Denton were selected as the site. The tract is beautifully situated, gently rolling to the south and west, and commanding a fine view of the town and surrounding country. Most of the soil is fertile, the greater part in cultivation. Besides this land and the valuable improvements situated on it, the people of Denton gave a money bonus of \$16,050 and agreed to put in an artesian well, to secure a bountiful and wholesome water supply for the college.

Governor Sayers subsequently appointed A. P. Wooldridge, Miss Eleanor Brackenridge, Mrs. Helen M. Stoddard, Mrs. Cone Johnson, John A. Hann, Rosser Thomas, and Clarence Ousley the first Board of Regents. At a meeting held at Denton April 2, 1902, A. P. Wooldridge of Austin was elected president of the Board of Regents, Miss Eleanor

Brackenridge of San Antonio, vice-president; Mrs. Helen M. Stoddard of Fort Worth, secretary, and John A. Hann of Denton, treasurer.

May 2, 1902, plans and specifications for the main building were advertised for. Those of Dodson & Scott of Waco were accepted July 1, 1902, over eight competitors. Bids were next invited, and the contract for the construction of the building awarded to Dennis Mahoney of Waxahachie for \$45,462, August 11, 1902, over four other bidders, the contract calling for the completion of the building within eight months.

The cornerstone was laid with impressive Masonic ceremonies at 2 p.m., January 11, 1903, under the auspices of the Pilot Point, Fort Worth and Denton lodges, Grand Master William James of Fort Worth officiating. An assemblage of four thousand or five thousand persons was present despite the fact that the weather was inclement, a slight mist falling. After the invocation by Grand Chaplain Hallam, the following laid the stone: Grand Master A. F. Campbell of Dallas, Senior Grand Warden C. N. Edgell of Fort Worth, Junior Grand Warden S. M. Bradley of Dallas, Grand Secretary E. H. Bates of Denton, Grand Treasurer T. N. H. Wylie of Pilot Point, and Grand Marshal P. C. Withers of Denton.

The remaining exercises were held at the opera house, where Judge S. M. Bradley of Denton delivered an address of welcome, in the course of which he paid tributes to the Board of Regents and the Texas Federation of Women's Clubs. The response for the regents was made by President A. P. Wooldridge, and for the Texas Federation of Women's Clubs by Mrs. Percy V. Pennybacker, president of that organization. Mr. Ousley conveyed the regrets of Governor and Mrs. Sayers and Miss Brackenridge for not being able to be present. Mrs. Cone Johnson and Mrs. Stoddard made short talks on industrial education, and were followed by Professor Cree P. Work, previously selected as president of the college, who stated the plans and purposes of the institution.

PRAIRIE VIEW STATE NORMAL AND INDUSTRIAL COLLEGE OF TEXAS.¹

PRAIRIE VIEW.

E. L. Blackshear, principal; has filled the position since 1896; salary, \$1400 per annum.

Total appropriation for the institution for the two years ending August 31, 1905, \$60,000.

¹ For a history and description of the College and a list of those who have served as principal, and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

In the biennial report of the principal and board of directors for the two years ending August 31, 1902, the directors say:

"We believe that a solid foundation has been laid at this institution for the best work that the people can undertake for the elevation of the colored people of Texas. It is recognized that education of the proper kind furnishes the best guarantee of individual as well as of social advancement for members of any race whatever. We believe that the education that is being provided for at the Prairie View State Normal and Industrial College is conducted substantially along proper lines. It combines, in a satisfactory degree, theoretical with practical training, the practical being more and more emphasized as the means permit."

We submit herewith the report of the principal of the college containing his recommendations and the reports of heads of departments. The requests which the principal makes are reasonable, and, in our judgment, should be granted by the State authorities."

The principal says: "The enrollment at this institution for the session of 1900-1901 was 280, for the session of 1901-1902, 300. During these two scholastic years 92 have been granted second grade certificates, 53 have been granted first grade certificates, and 40 have received permanent certificates or normal diplomas.

"* * * There are obvious reasons why it is better that the colored youth receive their advanced training here than in sections alien or even hostile in sentiment to this section, where the pupil will have his future home or field of labor.

"* * * The majority of the students who come to Prairie View seek preparation to be teachers. The demand for graduates from this institution to teach in the colored schools of Texas is greater than the school has been able to supply. It is gratifying to be able to state that the purposes of the State in founding here a school to fit colored youth to be successful teachers of their race have been quite fully realized.

"* * * The value, * * * of manual training and industrial education to the youth of the colored race, which is in the earlier stages of its development, can not be questioned, and it is an encouraging fact that this form of training is growing in popularity among the colored people themselves. Immediately after their sudden emergence from a system of enforced labor, the colored people, naturally, perhaps, thought that education was something entirely disassociated from labor, and that its purpose was to rid its possessor of the necessity of physical effort. The subsequent experience of nearly forty years is beginning to revise the notions of many if not the most on this subject, and there are arising in the minds of the colored people more correct notions about education and a better insight into the relation of industry and economy to race growth."

TEXAS INSTITUTION FOR THE BLIND.¹

H. L. Piner, superintendent; appointed by Gov. Sayers January 29, 1901, to succeed Dr. E. P. Becton, deceased, and reappointed by Gov. Lanham, qualifying under his new appointment February 25, 1903; salary \$2000 per annum and in addition thereto board for himself and family not to exceed \$500 a year and fuel, lights, water and housing.

Total appropriation for the support of the institution for the two years ending August 31, 1905, \$182,290, of which amount \$60,000 is for new school buildings and their equipment and the purchase of additional land.

The forty-fifth annual report of the institution was made to the Governor August 31, 1902, and presents a showing most creditable to the management and gratifying to State pride. The total number of pupils enrolled is 181.

The following is gleaned from much else of interest submitted to the consideration of the Governor and Legislature by Superintendent Piner:

"* * * The health of the children has been exceptionally good during the year. There have been no deaths, and no really serious illness among the children.

"* * * The Governor's medal was awarded to Jasper Pruitt, of Wise county. This boy is 14 years old, and had never gone to school before. He learned to read the point letters in a single day; within a week he had read his first reader through; within another he had finished the second; and during the session he thoroughly mastered a three years' course of work. His deportment was absolutely above reproach.

"Some of our pupils teach literary schools; some of them manufacture brooms; some of them seat chairs; some of them make mattresses; some of them do fancy needle work; some of them teach music. All these things are taught here successfully. It is a mistake to suppose that blind children must be always dependent. There are many things they can do. Many of our students go out from us to tune pianos, and we can furnish the addresses of many who are earning a fine living at this business. Some are teaching in literary schools. One of our boys is now in the University of Leipsic, Germany, and is making a fine record. Several have broom factories of their own. A large number of our girls are making money with their guitars. Others with their mandolins. We can furnish you with the addresses of more than sixty who have gone out from here during the last ten years who are making their living with music. The conservatory for the blind in England shows in their last report that 89 per cent of their graduates make a good living with music.

¹ For a history of this Institution and list of superintendents and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

It is the most practical department of the institution when we come down to the strictest utilities of education. The department of music should be better equipped and absolutely sustained by all who have a voice in the matter."

DEAF AND DUMB ASYLUM.

AUSTIN.

B. F. McNulty, superintendent; has filed the position since February 3, 1899, when he was appointed by Gov. Sayers; was continued by Gov. Lanham and qualified under his new appointment February 5, 1903; salary \$2000 a year, and in addition thereto, provisions not to exceed \$500 per annum and water, lights and housing for himself and family. Total appropriation for the institution for the two years ending August 31, 1905, \$204,320.

The forty-sixth annual report of the board of trustees and superintendent was submitted to the Governor September 1, 1902. The number of pupils is given as 390, and the expected attendance during the ensuing year as 500. The following interesting facts are gleaned from the report:

Average attendance November 1, 1894 to November 1, 1895, 232; November 1, 1895, to November 1, 1896, 246; November 1, 1896, to November 1, 1897, 248; November 1, 1897, to November 1, 1898, 256; November 1, 1898, to November 1, 1899, 263; ¹November 1, 1899, to November 1, 1900, 286; ²November 1, 1900, to August 31, 1901, 343; August 31, 1901, to August 31, 1902, 375. Total expenditures for said years, \$52,431.08, \$46,243.96, \$52,730.60, \$51,893.59, \$53,936.56, \$76,238.48, \$64,102.67, \$129,987.49; less repairs and improvements, \$7208.16, \$1720.17, \$4542.35, \$242.97, \$1128, \$16,359.48, \$9027.01, \$56,385.56; total salaries and maintenance, \$45,222.92, \$44,523.79, \$48,188.25, \$51,650.62, \$52,808.56, \$59,879, \$55,075.66, \$73,601.93; salaries, \$23,829.34, \$24,474.41, \$24,359.13, \$25,022.98, \$27,083.49, \$35,455.76, \$32,111.53, \$44,537.39; maintenance, \$21,393.58, \$20,049.38, \$23,829.12, \$62,627.64, \$25,725.07, \$24,423.24, \$22,964.13, \$29,064.54; annual salary per capita, \$102.71, \$99.49, \$98.22, \$97.75, \$102.98, \$123.97, \$93.62, \$118.77; annual maintenance per capita, \$92.21, \$81.50, \$96.08, \$104.01, \$97.81, \$85.39, \$66.95, \$77.50; total annual per capita, \$194.92, \$180.99, \$194.30, \$201.76, \$200.79, \$209.36, \$160.57, \$196.27; monthly salary per capita, \$8.56, \$8.29, \$8.18, \$8.14, \$8.58, \$10.33, \$9.36, \$9.90; monthly maintenance per capita, \$7.68, \$6.79, \$8.01, \$8.67, \$8.15, \$7.11, \$6.69, \$6.45; total monthly per capita, \$16.24, \$15.08, \$16.19, \$16.81,

¹This year salaries of all teachers raised to cover board, they having boarded and roomed at the Institution up to June, 1898.

²For ten months only when fiscal year was changed by Legislature.

\$16.73, \$17.44, \$16.05, \$16.35; daily salary per capita, 29 cents, 28 cents, 28 cents, 27 cents, 28 cents, 34 cents, 31 cents, 33 cents; daily maintenance per capita, 25 cents, 22 cents, 26 cents, 29 cents, 27 cents, 24 cents, 22 cents, 21 cents; total daily per capita, 54 cents, 50 cents, 54 cents, 56 cents, 55 cents, 58 cents, 53 cents, 54 cents.

The most important permanent improvement mentioned is a new school house, for the erection of which \$40,000 was appropriated by the Twenty-seventh Legislature. "It is of brick and stone, covered with a slate roof, and is three stories high, with a basement. There are twenty-seven school rooms, a reception room and principal's office, a chapel, and a number of toilet rooms. There is a wide, well ventilated corridor on each floor. * * * It is the best building on the grounds, and by some is said to be the best State building in Austin with the exception of the capitol."³

In his report Dr. M. M. Smith, the physician, says: "* * * There is no work more noble and holy than taking a blind-deaf child and making its life one of usefulness, pleasure and happiness. All are familiar with the national character of Helen Keller, and we believe Texas will yet furnish another of wonderful reputation in our little Ruby Rice, who bids fair to accomplish wonders in an educational way."

³ For a history of this Asylum and a list of those who have filled the position of superintendent, and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

STATE ORPHAN HOME.¹ CORSICANA.

J. J. Swann, superintendent; appointed by Gov. Lanham February 2, 1903; qualified February 14, 1903; salary, \$1500 per annum and, in addition thereto, board for himself and family not to exceed in value \$500 a year, and fuel, lights, water and housing. Total appropriation for the institution for the two years ending August 31, 1905, \$109,145.

The report of the former superintendent, Joel H. Haden, for the two years ending August 31, 1902, contains the following statistics: Children received since September 1, 1900, 126; total in the Home August 31, 1902, 303; homes procured, 10; adopted, 2; ran away, 8; gone out to work, 14; died, 2; returned to relatives, 86; health good. The industrial manager says in his report:

"During the fall of 1900 the boys were permitted to pick cotton for

¹ For a history of the State Orphan Home and a list of those who have filled the position of superintendent and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

the farmers living in the neighborhood of the Home. They gathered about 50,000 pounds, for which they received the sum of \$325; one-half of this money was divided among the boys pro rata according to what each picked, the other one-half was turned over to the superintendent to be used in supplying the girls with Christmas presents. In the fall of 1901 they were not taken out to pick cotton.

"During these two years the boys have cultivated, with some help from hired laborers employed on the farm, the land belonging to the Home, there being in cultivation, including orchards and grounds, about two hundred and fifty acres.

"* * * The boys have hauled from the cars 800 cords of wood. They have hauled from the city of Corsicana 300 loads of cotton seed meal and hulls; groceries and freight of other kinds, 250 loads. They have fed and cared for all the stock, amounting in all to more than 100 head, and have done the milking of fifty cows.

"They have cut and supplied with wood all the stoves and fireplaces in the Home, amounting in all to fifty-four in number; and have kept the grounds, orchard and drives in good condition; and have worked also in carpenter shop, plumbing shop, blacksmith shop, shoe shop and broom and mattress factory.

"We have raised this year twenty acres of fine broom corn. We have already harvested one crop, and will have another from the same planting much more abundant and of better quality than the first. We will have a bountiful supply of broom corn to keep our factory running all next year.

"The shoe shop, under the direction of Mr. Frank Holmes, and the broom and mattress factory, under the direction of Mr. G. W. Bounds, have each been operated six months. Mr. Holmes had under him in the shoe shop four crippled boys who made fine progress in acquiring a knowledge of the trade; they can now do most of the repairing necessary in the institution. Mr. Bounds had under him from time to time ten boys, all of whom made fine progress and are now making all the brooms and mattresses we need in the Home."

INSTITUTE FOR DEAF, DUMB AND BLIND COLORED YOUTHS.¹

S. J. Jenkins, superintendent; was appointed by Gov. Culberson January 19, 1897, was reappointed by Gov. Sayers, and was continued in the position by Gov. Lanham by reappointment January 29, 1903; salary, \$1500 per annum. Total appropriation for the institute for the two years ending August 31, 1905, \$47,140.

¹ For a history of the Institute, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

The fifteenth annual report of the superintendent and board of managers, dated August 31, 1902, stated that 94 pupils were being cared for, asked for additional appropriations for buildings and other purposes, and shows the institute to be well managed.

TEXAS STATE TEACHERS' ASSOCIATION AND SUPERINTENDENTS' AND PRINCIPALS' ASSOCIATION.

For some years these two organizations have met at the same time and place and blended the proceedings of their annual sessions, the first of the three days being utilized by the Superintendents' and Principals' Association.

The twenty-fourth annual session of the Texas State Teachers' Association was held at Austin, December 29, 30, 31, 1902.

In accordance with the foregoing plan, the Superintendents' and Principals' Association was called to order by President J. L. Henderson, of Tyler, at 10:30 a. m. in the assembly room of the city high school building. Two sessions were held during the day.

Supt. T. G. Harris, of Austin, delivered the address of welcome, and was responded to by Supt. John W. Hopkins, of Galveston. Interesting papers and addresses, relating to school work and cognate subjects, were read or delivered by Miss Annie E. Hilton, Prof. W. A. Palmer, Mrs. Jessie Rentfro, Prof. W. S. Sutton, Supt. V. M. Fulton, Supt. P. W. Horn, Supt. W. Attebery, Supt. M. M. Dupre, Trustee J. E. Boynton, Hon. Arthur Lefevre, State Superintendent of Public Instruction, and Dr. W. L. Bray. Mr. Lefevre's address was on "School Laws and Needed Legislation."

H. H. Ransom, J. H. Van Ambergh and J. E. Blair were selected as members of the resolutions committee.

The following officers were elected: W. A. Palmer, of Dallas, president; A. N. McCallum, of Seguin, vice-president, and O. E. Arbuckle, of Waco, secretary and treasurer.

The Texas State Teachers' Association (which includes superintendents and principals), was called to order in the auditorium of the University of Texas, December 30, by President Estill. Addresses of welcome were delivered by President Prather and Gov. Sayers, and were responded to by Supt. J. W. Clark. Dr. S. J. Jones, Supt. Barnett, Mrs. J. C. Terrell and Supt. J. C. Lattimore delivered addresses on important topics at the morning session.

At the afternoon session Mrs. Pennybacker, Dr. Thomas Walker Page and President Dabney of the University of Tennessee delivered addresses.

At the sessions December 31 addresses were delivered by Supt. R. B. Cousins, Dr. A. C. Ellis, Miss Lula Elliott, and (by invitation) Louis J. Wortham. Mr. Wortham strongly impressed upon his auditors the

necessity for a good Texas exhibit at the Louisiana Purchase Exposition, and a resolution was adopted favoring such an exhibit, and promising the support of the teachers to that end, upon a plan to be devised later.

A resolution and declaration of principles, offered by J. L. Long, V. M. Fulton, T. M. Smith and W. S. Sutton, as expressive of the sentiments of the Association, were adopted. In substance they declare and enlarge upon the importance of supporting and developing all parts of our public school system, urge that the State school tax be raised to the constitutional limit of 20 cents on the \$100 of property valuation, and that the funds so raised be supplemented by local taxation, indorse the scientific teaching of agriculture and industrial arts, pledge loyal and zealous support to the State Superintendent of Public Instruction, etc. The following is the boldest and most remarkable paragraph—it is somewhat ambiguous, but will be, by many, interpreted to mean that the association desires the introduction of the Bible into public free schools:

"6. We believe that the English Bible should be read and studied as a literary work of the highest and purest type, side by side with the poetry and prose which it has inspired, and in large part, formed; that this great book may become the teachers' aid in the interpretation of history and literature, law and life."

The State Superintendent of Public Instruction was made, ex officio, a member of the Texas World's Fair Educational committee.

The following officers were elected: John W. Hopkins, of Galveston, president; E. W. Tarrant, of Brenham, first vice-president; T. G. Harris, of Austin, second vice-president; Chas. J. Lukin, of San Antonio, third vice-president; W. E. Darden, of Waco, secretary, and J. E. Blair, of Denison, treasurer. Marlin was selected as the next place of meeting.

STATE KINDERGARTEN ASSOCIATION.

A State Kindergarten Association was organized at Fort Worth, March 7, 1903, at a convention of persons interested in the work, held in that city. The following officers were elected to serve during the first year: Mrs. A. J. Roe, of Fort Worth, president; Mrs. L. P. Downs, of Temple, first vice-president; Miss Eleanor Winn, of Dallas, second vice-president; Miss Mary H. Wilson, of Dallas, third vice-president; Mrs. G. A. Taft, of Houston, recording secretary; Miss Jessie Davis, of Temple, treasurer, and Miss Myra Winchester, of Fort Worth, corresponding secretary.

DEDICATORY EXERCISES AT BAYLOR UNIVERSITY.

Beginning April 19 and concluding April 21, 1903, an interesting program of ceremonies was observed at Baylor University, at Waco, the occasion being the dedication of two magnificent college buildings—Science Hall, the gift of G. W. Carroll, of Beaumont, and a combined chapel and library building, the gift of F. L. Carroll, of Waco, well known and prominent citizens of Texas.

FIRST DAY—APRIL 19.

Services were held in the new chapel in the forenoon and at night. The following was the order of exercises in the morning:

Hymn, "Praise God from Whom All Blessings Flow," by the congregation. Prayer by Rev. T. S. Clyce. Hymn, "Father, Hear Us While We Bow Before Thee," by a choir of forty members. Scriptural reading. Vocal solo, Costa's "I Will Extoll Thee, O Lord," by Miss Leona Randall. Offertory. Dedicatory sermon by Rev. E. Y. Mullins, president of the Southern Baptist Theological Seminary. Hymn, "Holy, Holy, Holy!" by the congregation. Benediction.

And the following the order at night: Hymn by the congregation. Prayer. Scriptural reading. Music by the Baylor Quartette. Sermon by Rev. George W. Truetf, pastor of the First Baptist Church of Dallas.

Rev. Mullins took the text for his dedicatory sermon from Hebrews, ii, 7-8. "The sermon," says the Dallas News, "was an optimistic one, holding to the general idea of man's dominion over the world. The speaker traced the causes of man's failure to attain complete mastery over the earth already. The sermon was listened to with the utmost attention."

A large number of distinguished educators and men prominent in other walks of life were seated on the stand and in the audience. Among the latter was Hon. Pat M. Neff, speaker of the House of Representatives of the Twenty-eighth Legislature of Texas. He is an alumnus of Baylor. Many ladies were also present. There were 1800 opera chairs in the building. Folding chairs added made near 3000 people at the leading services.

SECOND DAY—APRIL 20.

In the morning a procession was formed in front of Science Hall and marched in the following order to the new chapel, where the exercises of the day were held: Cadet band and military company in uniform; Baylor, Waco, senior class in cap and gown, bearing banners; Baylor, Belton, senior class in cap and gown, waving their college flags; Baylor alumni in cap and gown; superintendents and principals of Texas schools; president and professors of Baylor University in cap and gown;

Waco City Council; members of the board of trustees of the University; invited orators.

Seated on the stand were President Harper of Chicago University, President Prather of the University of Texas, President S. P. Brooks of Baylor University, President T. S. Clyce of Austin College, President E. Y. Mullins of the Southern Baptist Theological Seminary, President W. A. Wilson of the Baylor Female College, Col. C. C. Slaughter of Dallas, the Rev. G. W. McDaniel of Dallas, and others.

"America" was sung by the audience of more than 2000 people, and was followed by "The Rendez-Vous Valse," by the Baylor band. After a prayer by Dr. W. A. Wilson, president of Baylor Female College, Belton, the address of welcome was delivered by Dr. B. H. Carroll, A. M., D. D., on behalf of the institution. He said in part:

"Mr. President, Ladies and Gentlemen—The hour has come for the dedication of the George W. Carroll Science Hall and the F. L. Carroll Chapel and Library—cash donations by father and son amounting to more than \$150,000.

"It was deemed appropriate to invite many distinguished educators to participate in the ceremonies of this happy occasion. And now, in behalf of Baylor University, it is my duty and pleasure to extend a welcome to all our honored guests who, from far and near, have come to join in this joyous celebration and to help in making it memorable.

"This institution, founded in the days of the Texas Republic, would first of all give welcome to the veterans present, to whose counsels and services this great commonwealth owes not only so much of its being, but also so much of its well-being. As representatives of this veteran corps we have selected Hon. John H. Reagan and ex-Governor Francis R. Lubbock. Any Texas institution would delight to hold in veneration men so spotless in their long careers of public service.

"With them we associate in cordial greeting many jurists, statesmen and distinguished members of the Texas bar, who have left their several fields of labor to grace this occasion with their presence. Many of these are alumni of Baylor University.

• "It is equally my pleasure to express like welcome toward all representatives of State education who have gathered here in the spirit of courtesy and educational fellowship. To the worthy presidents and other officials of the University of Texas at Austin, of the Agricultural and Mechanical College at Bryan, of the Sam Houston Normal at Huntsville, of the Industrial College at Denton and to the State Superintendent of Public Instruction, with the many county and city superintendents here also—gentlemen, one and all—Baylor University expresses grateful appreciation of your presence. To the worthy president and other officials representing here many Christian universities and colleges of the several denominations, Baylor extends an open hand of fellowship and open heart of welcome.

"To the presidents of Chicago University, of the Southern Baptist Theological Seminary at Louisville, of the Orphans' Home near Dallas,

of Simmons College at Abilene, of the Indian University in the Territory, of the Southwestern University at Georgetown, of Trinity University at Waxahachie, of Austin College at Sherman, of the Daniel Baker College at Brownwood, of the Polytechnic College at Fort Worth, of Fort Worth University, of the Columbia College at Van Alstyne, of the Alexander Institute at Jacksonville, of the San Antonio Female College—with all the sister schools in Waco, and with all others in the State, which, though not enumerated, may be represented here this day, to you brethren, one and all, whether Baptist, Methodist, Presbyterian, or of any other faith, allow me to say we count your presence a delicate attention and high honor.

“But not only do we welcome the representatives of State and denominational schools, but all exponents of colleges and academies under private control, who have honored us with acceptance of our invitation.

“This welcome would fall far short of just requirements if we failed to include the Texas Baptist Education Commission, which in five years has correlated and systematized our own denominational schools in the State, and has, in that time, raised for debt-paying, equipment, and endowment about \$600,000. Through the president and corresponding secretary of this commission, Dr. J. B. Gambrell of Dallas and the Rev. J. M. Carroll of Waco, we welcome not only every member of this great committee, but every man and woman of the hosts of contributors whose co-operation made so great achievements possible with such phenomenal unanimity and in so short a time.

“To the several schools of the correlated system affiliated with Baylor University, under the fostering care of the Commission, we extend a welcome to their respective presidents, namely: President Wilson of Baylor Female College, with other teachers and his senior class; President J. L. Ward of Decatur College, President J. H. Grove of Howard-Payne College of Brownwood, President Gibson of Burleson College, Greenville, and President Maxwell of Rusk Institute.

“Last, but far from least, to the representatives of the press here this day, whether secular or religious—to whose co-operation and encouragement all schools are so much indebted—to you, gentlemen of the magic quill, with more eyes than Argus, with more hands than Briareus, with more toil on the rapidly revolving wheel of time than Ixion, with more burdens to roll up hill than Sysiphus, to you, gentlemen of the press, the cream of welcome.

“* * * Allow me to sketch in bare outline four general lessons well taught in this great demonstration. [He elaborated each proposition.] 1. Texas is not a benighted land! * * * 2. Remember and reverence the men of harder times, who had to make bricks without straw; * * * pioneers upon whose foundations we build. * * * 3. The fellowship of true educators. * * * 4. Religion is the living mother of the arts and sciences.

“The donors of these buildings, father and son, are not college men,

nor statesmen, nor jurists, but as philanthropists represent a broader humanity. * * * Not a stone, brick or timber in either building will cry out against them in the judgment. They suggest no surplus interest from capital acquired by greed, extortion, or fraud. That they may be generous, no fellow man is injured, no laborer robbed of honest wage, no widow or orphan stripped of meager patrimony. * * * May multitudes of brave sons and fair daughters of Texas born unto God in this beautiful chapel, rise up and call them blessed."

I. E. Gates of the class of 1903 responded on behalf of the students of Baylor.

Rev. G. W. McDaniell of Dallas responded on behalf of the alumni of Baylor, closing his remarks by repeating the following verses:

"Henceforth within these sacred walls,
May Truth's unfailing light forever shine;
Diffusing through its hallowed halls
The warmth and power of the Divine.

"Let Reason have her perfect play,
And thought unbounded out be sent;
To find at last true Wisdom's way,
And of the Logos the intent.

"May Science find each answer clear,
To carping critics of our age,
And misfits and doubts all disappear
In the white light of the Sacred Page.

"And in the search for treasures rare,
Of logic, learning and poetic art—
To him who seeks with earnest care
Is revelation's noble part.

"The philosophic mind must look
For all its answers in the Word,
The rarest Book, the world's one Book,
The blessed Bible of our God."

After a violin solo by Prof. Schwatlo, Mayor Allan D. Sanford responded on behalf of Waco. President William Lambdin Prather, of the University of Texas, responded for the universities of the State, speaking in highest terms of President S. P. Brooks of Baylor, and saying further, in part:

"I congratulate you, Mr. President, that the associations of Baylor have always been patriotic. She was first located at Independence, in Washington county, not far from the house of the pioneer Baptist preacher, the Rev. N. T. Byars, in which was written the declaration of Texas independence. Among her founders were men distinguished for their learning and patriotism. On to-morrow, the sixty-seventh anniversary of the battle of San Jacinto, you will have with you as honored guests the last remnant of the heroic band of Texas veterans. San Jacinto day was always observed in this institution by Dr. Burleson as an occasion for teaching the youth of Texas here assembled noble lessons of patriotism. I well remember how my young heart was thrilled on

these occasions by the stories of Goliad, of the Alamo and of San Jacinto, and I trust, sir, that the custom will ever be observed and that you as a native Texan will ever feel a special pride in its observance. If Baylor, the child of the Republic, will sacredly keep San Jacinto day, her younger sister, the University of Texas, will as sacredly observe the day of Texas independence, and thus shall we train a race of patriots who shall love to live, and if need be love to die, for Texas.

"Our fathers' faith
Let us keep till death;
Their fame in its cloudless splendor;
As men who stand for their motherland,
And die, but never surrender."

After the singing of a song, "The Tale of the Sea Shell," by the Glee Club and the pronouncing of the benediction, the audience dispersed for the morning.

A large gathering assembled again at 3 p. m. After music by the orchestra, the Rev. D. I. Smyth offered a prayer. Hon. J. B. Baylor, C. E., B. S., assistant in the United States coast and geodetic survey, Washington, D. C., delivered an interesting address on "Education for the Masses in Its Relation to Production." President D. F. Houston, of the Agricultural and Mechanical College of Texas, spoke on "The Educated Man in Agriculture," Hon. Arthur Lefevre on "The Educated Man in Commerce," and Prof. T. S. Clyce, of Austin College, on "Educational Possibilities in Texas."

Exercises were also held at night. The principal speaker was President William Rainey Harper of Chicago University. Later the pleasures of the day were concluded by an elegant banquet given in the lower story of the chapel in honor of the two Carrolls. Covers for 400 guests were spread.

THIRD DAY—APRIL 21.

At the morning exercises the Daughters of the Republic of Texas and Texas Veterans occupied specially reserved seats in the front rows. Seated prominently on the stage were ex-Governor F. R. Lubbock, Hon. John H. Reagan, Dr. Harper, Dr. B. H. Carroll, and all the eighteen who received honorary degrees.

The morning program was opened with a medley of Southern plantation songs by the Baylor orchestra. After a prayer by Dr. J. B. Gambrill, ex-Governor Lubbock delivered a short address that was enthusiastically cheered. Charles Parker, director of the Baylor band, rendered a French horn solo.

S. F. Sparks, of Rockport, and J. L. Winters, of Big Foot, Live Oak county, the only survivors of the battle of San Jacinto now living, were escorted to the platform and introduced to the audience by President Brooks. Everyone in the audience arose, waved handkerchiefs, and gave a storm of cheers. In a letter received from President Brooks, he

says: "I have learned that one other survivor was present, though he was not presented, nor do I know his name."

Dr. B. H. Carroll then introduced Hon. John H. Reagan, saying that his fame was as spotless as that of Cincinnatus. "Baylor," he declared, "thrills to hear the voice of John H. Reagan before it is hushed in death." Judge Reagan said, in part: "If I had one suggestion to make to this institution it would be to call it the Baylor-Burleson University.

"April 21 will ever be remembered by the people of this State, because on it was struck down the hand of the tyrant and laid the foundations of this government of Texas. We have lived to see the growth of the State to 3,500,000 free, happy and prosperous people.

"The results which flowed from the battle of San Jacinto were the substitution of the government of a free people for that of a despot and the addition of territory to the United States as large as that of the original thirteen colonies. There has not been a battle in modern times from which greater results have followed."

Dr. Newman of Baylor explained the meaning of the three degrees conferred, saying that it was usual to award them as a recognition of distinguished achievements, whether or not the recipients thereof had reached great heights in the schools.

The following were called up in the order named and given degrees by President Brooks, who addressed a few appropriate remarks to each:

Master of Arts—John Thomas Duncan, William Dawson Harris, James William Cantwell, Sidney Prentiss Skinner, Jesse Lawrence Ward, and James Harvey Grove.

Doctor of Divinity—Benjamin Franklin Riley, Arthur James Barton, Jefferson Davis Ray and James Melton Carroll.

Doctor of Laws—John Hennenger Reagan, Francis Richard Lubbock, Thomas Jefferson Brown, James Bowen Baylor, Edgar Young Mullins, Robert Cook Buckner, William Rainey Harper and James Bruton Gambrell.

President Brooks announced that T. W. Connelly of Grayson county had willed his library of 2000 volumes (a number of them rare works on theology and philosophy) to the university, the gift to take effect on the death of the donor. President Brooks said that the university authorities had set aside a special corner in the Carroll library building for these volumes and that they would be kept together.

During the morning he conducted to the front of the stage G. W. and F. L. Carroll, donors of the two new buildings, and Col. C. C. Slaughter of Dallas, who has given liberally to the cause of education. The trio were given round after round of applause as they gracefully bowed acknowledgments for the honor shown them. The morning meeting concluded with "Alma Mater," a dedication chorus, sung by the University Glee Club.

At 2 p. m. a delightful social gathering was held in the parlors of the girls' building.

The three days exercises were brought to a close at night by a reunion

of the members of the university literary societies and by a banquet given by the Philomathesian society, and one of the most notable series of events in the life of Baylor University and the history of educational progress in Texas was concluded as happily as a well executed piece of sweet and inspiring music.

TEXAS CHRISTIAN UNIVERSITY.

Interesting inaugural and dedicatory exercises were held at the Texas Christian University (formerly Add Ran University), at Waco, February 19 and 20, 1903, celebrating the installation of the president and the completion of the girls' dormitory building and Townsend music hall and library building. Mrs. C. L. Townsend, of Sherman, was the principal donor to the fund for the erection of the latter building, giving \$10,000, and it was, in accordance with her wishes, named in honor of her deceased husband.

M. M. Davis presided at the services on the 19th. Rev. S. D. Perkinson, of Temple, offered the opening prayer. Addresses were delivered by A. C. Clark, of Amarillo; G. Lyle Smith, of Paris, and Homer T. Wilson, of San Antonio, and were interspersed by vocal and instrumental music, some of the selections being rendered by the University Glee Club, others by the Young Ladies' Chorus, and the entire audience joining in a number of the songs.

A meeting of the alumni association was held at night, Van Zandt Jarvis, of Fort Worth, presiding. Speeches, music, and a banquet were features of the meeting.

The program on the 20th (forenoon, afternoon and night), was elaborate, well executed and greatly enjoyed.

W. K. Homan, of Colorado City, was chairman of the forenoon session. Prayer by Rev. A. J. Bush, of Cleburne. Judge A. E. Wilkinson, of Austin, spoke as the representative of the board of trustees. Dr. E. V. Zollars, president of the institution, then delivered his inaugural address, a scholarly effort that fully sustained his high reputation, the fame of which preceded him from Ohio to Texas. He was followed by other prominent speakers who made brief talks.

Chalmers McPherson, of Fort Worth, was presiding officer at the dedicatory services in the afternoon. Prayer by Rev. L. D. Anderson, of Ennis. The dedicatory address was delivered by Dr. C. L. Loos, of Lexington, Ky. T. E. Shirley, of Melissa, Texas, spoke for the board of trustees. E. C. Boynton, of Huntsville, Dr. Randolph Clark, of Hereford, and Granville Jones, of Austin, were the other speakers.

J. C. Mason, of Palestine, presided at the closing session beginning at 7:30 p. m. Prayer by Dr. Randolph Clark. G. A. Farris, of Dallas, and Granville Jones, of Austin, delivered interesting addresses. Excel-

lent music, both vocal and instrumental, added variety and charm to the three meetings. A concert by the departments of music and oratory fittingly closed the exercises.

Texas Christian University is already a most potent and beneficial factor in Texas, and gives promise of steady and vigorous growth.

REV. CHARLES CARLTON.

The year 1902 brought much of good to Texas, witnessed much of solid and enduring achievement attained, and left the State further advanced on its high career; but, mingled with its sunny and inspiring memories, are also others of sadness, that lend pathos to its story.

Among the latter the most impressive are the passing away of a number of men who labored long and faithfully in many good works, whose lives were largely beneficial to Texas, but who will never more be seen on earth.

Of those who died during the year none were more beloved by a wide circle of friends, none found a greater pleasure in the performance of duty, and none strove harder to contribute to the uplifting of his fellow men than Rev. Charles Carlton, who expired at his home in Bonham, Texas, at 5 o'clock a. m. Monday, February 13, 1902.

He was born at Eythorn, county of Kent, England, in 1821. In 1867 he established at Bonham, Carlton College, of which he was thereafter president until his decease. A learned and conscientious educator, sincere Christian, and citizen without reproach, his modest and useful life flowed throughout its lengthened course like a placid and noble river, that renders healthful and fruitful the lands along its banks.

BOOKER T. WASHINGTON.

This much-talked of and in many respects remarkable colored man arrived in Houston, Monday morning, December 29, 1902. In the afternoon he and the reception committee visited the editorial rooms of the Post and Chronicle, and proceeded thence to the Cotton Exchange, where he was introduced by Clarence N. Ousley, and delivered a brief address that was well received. Among other things, he said:

"I have studied the history of our people to some extent, not only in this country, but in every other section of the world, and, when you take into consideration their industrial, their mental, their moral, and their religious progress, you can not find 9,000,000 of the African race who can equal them in these respects. Notwithstanding what slavery may have done for us, we are ahead of negroes in other parts of the world.

Slavery was a curse in many respects to my race and, I speak frankly, it was a greater curse to your race; but, in the providence of God, we received a great benefit out of slavery."

From the Cotton Exchange he was escorted to Trinity Methodist Church (colored), where speechmaking was indulged in and a lunch served with liquid refreshments. Prof. E. L. Blackshear, principal of Prairie View State Normal College, acted as toastmaster. This function ended, the party proceeded to the Auditorium, where the principal event connected with the visit occurred—an extended oration by Washington. About 1500 negroes and 200 whites were present. He was introduced by Prof. E. L. Blackshear and Hon. Edgar Watkins, spoke for an hour and a half, said much worthy of commendation, and was frequently applauded.

In his book "Up from Slavery," page 16, Washington says: "When we rid ourselves of prejudice or racial feeling and look facts in the face, we must acknowledge that notwithstanding the cruelty and moral wrong of slavery the ten million negroes inhabiting this country, who themselves or whose ancestors went through the school of American slavery, are in a stronger and more hopeful condition materially, intellectually, morally and religiously, than is true of an equal number of black people in any other portion of the globe. This is so to such an extent that negroes in this country, who themselves, or whose forefathers went through the school of slavery, are constantly returning to Africa as missionaries to enlighten those who remained in the fatherland."

Washington appears to be a mulatto and not a negro, ethnologically, as he says (in his book, page 2), that reports reached him that his father was a white man.

DEPARTMENT OF PUBLIC HEALTH AND VITAL STATISTICS.

Dr. Geo. R. Tabor, State Health Officer; reappointed by the Governor and January 23, 1903, confirmed by the State Senate; salary \$2500 per annum.¹ Total appropriation for the support of the department for the two years ending August 31, 1905, \$72,280.

¹ For a history of the department and list of those who have filled the position of State Health Officer, and their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

An act passed at the regular session of the Twenty-eighth Legislature created a bureau of vital statistics within the Quarantine Department and changed the name of said department to Department of Public Health and Vital Statistics. The act was presented to the Governor April 21, 1903, and became a law without his signature ninety days after the adjournment of the regular session. It provides a method of collecting vital statistics that it is believed will be effective—physicians, surgeons, accoucheurs, coroners, and, in default of them, in certain cases, parents are to make reports to county clerks, and said clerks to the department; the clerks are also to keep a county record of such statistics.

The report of Dr. Tabor submitted to Gov. Sayers August 31, 1902, shows that thorough business methods have been introduced into this department, that numerous additions have been made to equipment, and that the system of coast quarantine and disinfection has been improved and enforced in a manner that, as far as possible, affords protection against the introduction of yellow fever and other epidemic diseases into the State.

SUPERINTENDENT OF PUBLIC BUILDINGS AND GROUNDS.

C. E. Gilbert, superintendent; appointed by Gov. Lanham and confirmed by the State Senate January 23, 1903; salary \$1500 per annum. Assistants: Bookkeeper, engineer and electrician, assistant engineer, six watchmen, carpenter, two firemen, plasterer, six cleaners, two drivers, elevator man, and assistant elevator man.

Total appropriation for the department¹ for the two years ending August 31, 1905, \$77,980, of which amount \$20,000 is "for fencing the San Jacinto battlefield, removing rubbish, caring for the graves of our San Jacinto dead and improving and beautifying the ground belonging to the State, to be expended under the direction of the Governor through the agency of five trustees to be appointed by him, who shall serve without compensation."

The report issued by former Superintendent Harlan is illustrated with a fine picture of the capitol and contains the following facts concerning the building: "Dedicated in 1888. Constructed of Texas red granite. Cost \$3,000,000. Largest State capitol building in the Union. Second largest building in the United States. Seventh largest building in the world. Dimensions: Length, 566 feet, 6 inches; width, 288 feet, 10 inches; height, 311 feet."

It is proper to state in this connection that Texas paid 3,000,000 acres of land, valued at \$1 per acre, for the construction of the building—a good arrangement both for the contractors and the State.

The structure, while massive and enduring, is graceful and noble in its architectural lines. The majestic dome is surmounted by a cupola on which stands an heroic, snow-white figure of the goddess of Wisdom, bearing aloft in her left hand a golden five-pointed Texas star.

¹ For a history of this department, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

INSANE ASYLUMS.**STATE LUNATIC ASYLUM, AUSTIN.**

B. M. Worsham, M. D.,¹ superintendent; salary \$2000 per annum, groceries not to exceed \$500 a year, and fuel, water, lights and housing for himself and family. Total appropriation for the institution for the two years ending August 31, 1905, \$366,935.

In their annual report August 31, 1902, the board of managers say: "We are glad of an opportunity to commend the efficient management of the affairs of the institution by Dr. B. M. Worsham, who has done much to improve the methods of care and treatment of the insane.

"Under his eminently wise and intelligent control, the State Lunatic Asylum has gained a foremost place with the best institutions of the kind in this country, and in point of cleanliness and beneficial treatment of its inmates is surpassed by none."

Patients in the institution at the beginning of the year, 888; at the close of the year, 1116—605 men, 511 women; 923 white, 193 negroes. Every application for admission made during the year was granted, except one or two where investigation clearly proved that those for whom it was sought were not proper subjects for care and treatment.

In his report Dr. Worsham suggests a number of needed changes in our laws relating to the insane; among others, the following:

"Separate provision for the criminal insane should be made at one of the insane hospitals, so that this class of patients could be safely kept and not be associated in any way with the other patients. Each of the asylums has a number belonging to this class—that is, patients who have committed or attempted to commit murder and other kinds of crime of every character. They not only constitute our most objectionable and disturbing element, but they are a constant source of danger to every one connected with the asylum management. By their criminal instincts and tendencies they have a very bad influence over many of the other patients. There is not a building or ward at any of the asylums where they can be safely kept; in fact, those who have any judgment can easily effect their escape.

"With a building constructed and arranged so that people of this class could be securely kept, then an observation law similar to the law of other States requiring all persons under indictment for any crime and for whom a plea of insanity is to be set up shall be sent to the asylum for observation and inquiry as to their sanity or responsibility. This would

¹Dr. Worsham was First Assistant Physician at the State Lunatic Asylum from 1891 to 1895; was superintendent of the Southwestern Insane Asylum from January 21, 1895, to August 1, 1896, and has been superintendent of the State Lunatic Asylum since the last mentioned date. He was born in Harrison county, Texas. It is a pleasure to note the fact that ability and experience have won for him recognition as one of the leading specialists in the United States.

be a fair and intelligent way to arrive at the mental condition where there is an element of doubt, and would do away with the mockery of putting on the witness stand any and all classes of physicians to answer hypothetical questions, ingeniously arranged by lawyers to suit their side of the case, in order for the jury to determine whether the accused is sane or insane. It requires actual and careful observation on the part of a physician, experienced with the insane, for days, weeks, and sometimes months, in order for him to determine accurately whether a person under such circumstances is insane or not. It would be decidedly less expensive in the end, and would be a just and proper way whenever such a plea is to be made in any case. Expert medical testimony is held up to ridicule all over this State, in cases of this kind, simply because it is an impossibility for a physician to observe a person while in the court room on trial for crime, listen to the history given by witnesses, who in many instances are strongly prejudiced for or against the defendant, and give an opinion worthy of serious consideration by the jury as to the sanity or insanity of the accused."

An act passed by the Twenty-eighth Legislature contains the following:

"Section 1. * * * The sum of \$5000, or so much thereof as may be necessary * * * is hereby appropriated * * * for the erection and maintenance of a Pasteur department for the treatment of hydrophobia in this State, in connection with and under the management of the State Lunatic Asylum, located at Austin, Texas.

"Sec. 2. Any person affected with hydrophobia within this State shall be admitted to said department for treatment upon the certificate of a practicing physician and the recommendation of the county judge of any county in this State.

"Sec. 3. All indigent patients shall be treated and maintained at the expense of the State, but all non-indigent patients shall be kept and maintained at said hospital at their own expense, or that of their relatives, friends, or guardians. Laws pertaining to the introduction and control of such patients shall be the same as those applying to the institution with which said hospital is to be connected." The charge for non-indigent patients is fixed at not more than \$5 per week.

NORTH TEXAS HOSPITAL FOR THE INSANE, TERRELL.

John L. Terrell, M. D.,¹ superintendent; salary, \$2000 per annum, groceries not to exceed \$500 a year, and fuel, water, lights, and housing for himself and family.

Total appropriation for the institution for the two years ending August 31, 1905, \$392,130.

The board of managers say in their annual report, August 31, 1902, that the institution is in better condition than at any previous time in

¹Dr. Terrell was appointed January 27, 1903, to succeed Dr. John S. Turner, and qualified February 5, following.

its history, commend Dr. John S. Turner, superintendent, for the able and faithful discharge of his duties, and make suggestions—among them the building of cottages for the care of consumptives.

Number of patients, 1377. Total number treated during the year, 1680. Daily average population, 1290. Death rate, 4 2-9 per cent. Discharged during the year, 121 males, 111 females. Of those who died, 44 were males, and 27 females.

SOUTHWESTERN INSANE ASYLUM, SAN ANTONIO.

Marvin L. Graves, M. D.,¹ superintendent; salary, \$2000 per annum, groceries not to exceed \$500 a year, and fuel, water, lights and housing for himself and family.

Total appropriation for the institution for the two years ending August 31, 1905, \$303,130.²

Dr. Graves says in his report, accompanying that of the board of managers, August 31, 1902:

"* * * The first part of the preceding year we had in the house and upon our furlough rolls a total of 761 patients, and of these 699 were then present in the house. We have admitted during the year 94 males and 60 females, making a total of 154 persons accommodated. Since the last annual report we have discharged, restored, 38 males and 30 females, a total of 68, the large majority of whom have been out of the institution from six to eighteen months. We have discharged, improved, 16 males and 16 females, total 32. We have discharged, unimproved, 3 males and 9 females, making a total of 12. It will be seen therefore, that we have discharged from the institution, restored, improved and unimproved, a total of 112 persons, whose places have been promptly filled by acute and needy cases. Forty-six males and 21 females, making a total of 67, have died during the year, giving us a mortality of about 7 per cent of the whole number treated during the year. We have remaining in the house, August 31, 1902, 346 males and 348 females, a total of 694, with some 42 patients out upon furlough. We have lost 9 patients by escape, all of whom were men."

¹ Dr. Graves was first elected superintendent of the Southwestern Insane Asylum by the Board of Managers January 31, 1899; entered upon the duties of the position February 2, following, and has been continued by re-election.

² For a history of the establishment and development of the Texas insane asylums, list of superintendents and their terms of service, description of buildings and grounds, etc., see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

EPILEPTIC COLONY AT ABILENE.

Dr. John Preston,¹ superintendent; salary \$2000 per annum and, in addition thereto, board for himself and family, not to exceed \$500 a year, and fuel, lights, water and housing. Total appropriation for the support of the institution for the two years ending August 31, 1905, \$181,200.

The site of the colony is two and a half miles in a direction slightly east of south from the town of Abilene, embraces 640 acres, and is occupied by an administration (or office) building, two hospital buildings, and four cottages, each of the latter capable of accommodating 45 or 50 patients. It is expected the institution will open in September or at the latest October, 1903, at which time it will have accommodations for about 400 patients.

"This institution," says Gov. Sayers in his message to the Legislature in January, 1903, "was authorized by the Act of February 9, 1899, and, upon the favorable report of a commission, located at Abilene. * * * The plans and specifications were prepared by the late J. L. O'Connor, with the assistance and under the supervision of Dr. B. M. Worsham, Superintendent of the State Lunatic Asylum. The last named gentleman was selected to visit the best institutions of the kind in the eastern States, and upon his report it was concluded to follow the plans of the one at Sonyea, New York, such changes to be made in the buildings as would adapt them to the climate where located. A survey of the land donated by the citizens of Abilene, and the plans and specifications, not only for the buildings now under construction, but for such as may be hereafter added, are on file in the State department. A contract has been made with the city of Abilene, at the rate of three cents per thousand gallons, for all the water that may be needed for any purpose whatever for seventeen years, after the expiration of which time it is to be supplied the institution without charge. The board, consisting of the Governor, Comptroller and Treasurer, has used every effort to secure the best buildings and improvements possible and is much indebted to Dr. Worsham for valuable assistance. Owing to the death of Mr. O'Connor, Mr. M. R. Sanguinet, of Fort Worth, has been appointed to succeed him as architect."

The administration and hospital buildings and cottages are two-story edifices with basements (the basements of Pecos red sandstone and the superstructure of Thurber red brick), are beautiful in architectural design, and are as nearly fire proof as it has been possible for skill to make them. Instead of being plastered, the inside walls of the hospital

¹ Dr. Preston was for some time First Assistant Physician at the State Lunatic Asylum, at Austin, and was superintendent of the North Texas Hospital for the Insane, at Terrell, from January, 1891, to February, 1895. A physician of high character and attainments, no better selection could have been made for this important position.

wards and operating rooms are faced with enameled brick and, consequently, can under any circumstances be kept in a perfect sanitary condition. The main entrances to the grounds are on the north and west.

In front of the administration building is a portico in the colonial style, with massive and lofty Corinthian columns of red sandstone, giving a solid, restful, and pleasing effect. This building stands at the head of a noble avenue, 200 feet in width. On the opposite side of this avenue is the superintendent's residence. A short way down the avenue (one on either side of it) are the hospitals, and still further down (arranged in the same way), are the cottages. The water and sewerage pipes have been so put in as to afford service to any number of cottages that may hereafter be constructed, the design being to build the latter in rows extending at right angles from the avenue, with considerable intervening spaces between the cottages, and with streets 100 feet in width separating the rows.

The colony has its own pumping, electric light, and steam heating plants. There is a grove of fine oaks covering about fifty acres of the site. This will be converted into a handsome park. The land is exceedingly fertile and a large part of it will be irrigated and cultivated for farm and garden crops. When the Epileptic Colony is opened for the reception of patients it will have cost the State about \$250,000.

GEN. WILLIAM BOOTH AND PARTY.

Gen. William Booth, founder and head of the Salvation Army, and Consul Emma Booth-Tucker, his daughter; Col. John Lawler, of London, England; Col. Edward J. Higgins, of New York City; Major Cox, of London; Colonel Holz, of Cleveland, Ohio; Brigadier Chandler, of New York; Staff Captain Lewis, of New York, and Captain Dammes, of New York, arrived in Dallas at 8 a. m. January 31, 1903, over the Cotton Belt Railway, in the elegant private car Rambler and (with the exception of one or two members of the party), ensconced themselves comfortably at the Oriental hotel.

General Booth delivered three lectures at the Dallas opera house, Sunday, February 1, and left the following morning for New Orleans.

General Booth was born at Nottingham, England, April 10, 1829; began evangelistic work at 15 years of age; became a regular minister of the Methodist New Connection Church in 1852; resigned in 1861 to permanently resume evangelizing, and established in East London in 1865 the Christian Mission, which, in 1878, developed into the Salvation Army, comprising in 1898, 6822 societies, established in forty-five countries and colonies, under 14,441 officers. "In connection with this," says an English publication, "he has organized a great system for the benefit of the submerged, starving, vicious, and criminal classes, which

has now 13 social farms, 92 rescue homes, 60 workshops; shelters for accommodating 13,288 people, 158 food depots; meals supplied during 12 months, 3,002,476."

With all its defects, Booth's scheme, embodied in the Salvation Army, is evidently an active power for good in our cities, reaching a class not touched by the churches.

RAILROAD COMMISSION OF TEXAS.¹

Commissioners, L. J. Storey, Allison Mayfield and O. B. Colquitt. The Commissioners are elected for terms of six years, one of which expires every two years. O. B. Colquitt was elected November 4, 1902, an opening for a new man having been made by Hon. John H. Reagan declining to offer for renomination. Mr. Mayfield's term will expire in November, 1904, and Judge Storey's in November, 1906.

Salary of Commissioners, \$4000 per annum. Total appropriation for the support of the department for the two years ending August 31, 1905, \$63,180. Office force: Secretary, rate clerk, general clerk, expert accountant, expert rate clerk, assistant expert rate clerk, chief engineer, and stenographer—eight assistants.

The eleventh annual report of the Commission, made October 21, 1902, to Gov. Sayers, contains much of interest.

" * * * On June 30, 1902, there were," says the report, "exclusive of yard tracks and sidings, 10,524.63 miles of standard (or 4 feet 8½ inches) gauge, 22.50 miles of 3 feet 6 inches gauge, and 69.80 miles of 3 feet gauge, the increase of standard gauge track for the year being 584.04 miles and the decrease of narrow gauge track, 120.95 miles. This table also shows that, exclusive of yard tracks and sidings, 10,461.06 miles were laid with steel rails, and 155.87 miles were laid with iron rails, which is, for the year, an increase of 507.45 miles of steel and a decrease of 44.36 miles of iron rails. Of yard tracks and sidings, 1,289.33 miles were laid with steel and 646.09 were laid with iron rails, which is an increase of 125.16 miles of the former and a decrease of 17.81 miles of the latter.

"The total outstanding capital stock and bonds * * * for all the roads listed are as follows: Capital stock, \$131,521,570; bonds, \$231,234,397; aggregate, \$362,755,967.

" * * * The total freight earnings for all the roads for the year which ended June 30, 1901, as revised, was \$42,875,127.24; for the

¹ For a history of the establishment of the Railroad Commission of Texas, a statement of the scope of its powers, and a list of those who have served as commissioners and the dates of their appointment, or election, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

twelve months ending with June 30, 1902, it was \$41,902,060.59, thus showing a decrease of \$973,066.65, or 2.27 per cent.

"* * * Total passenger train earnings: \$11,290,098 for the twelve months ending with June 30, 1901, and \$12,124,109.26 for the year which ended June 30, 1902, a gain for the latter period of \$834,010.96, or 7.39 per cent."

Figures are then presented covering every phase of railroading in Texas, but most of them are not of sufficient general interest to require reproduction here; however valuable they may be to those who desire full technical information on the subjects treated. The report continues:

"* * * Total number of officers and employes, * * * 48,002, an increase of 7296 over the number shown in our tenth annual report. Three companies report over five thousand employes each and three others nearly that number.

"* * * Total number of persons killed, 251; injured, 3827, an increase of 10 in the number killed and 1185 in the number injured over the preceding year.

"* * * The number of railroad employes killed while coupling or uncoupling cars, notwithstanding the fact that nearly all cars are now provided with automatic couplers, was nine in the year ending June 30, 1902, while only two lost their lives in that way during the year ending June 30, 1901; the number injured, however, at that class of work, shows a slight decrease. At highway crossings, only six persons were killed during the year ending June 30, 1902, against fifteen the preceding year. At stations the loss of life was three greater. Overhead obstructions caused one death each year, nineteen injuries in the year ending June 30, 1901, and twenty-eight injuries during the following year.

"* * * The averages for roads valued by the Commission: Stock and bonds, \$36,319 per mile; Commission's valuation, \$15,901 per mile; assessed valuation, \$8454 per mile.

"Total deficits and debits, \$33,141,729.45;¹ total credits, \$15,944,355.77.

"* * * During a period of twelve years the track mileage has increased from 8654.15 miles to 10,616.93 miles, or 22.68 per cent; number of tons hauled per year from 10,944,195 to 26,426,412, an increase of 141.47 per cent; gross earnings from \$35,666,498 to \$58,890,495.89,

¹ This sum is the aggregate for all the railroad companies listed from the organization of each of them down to June 30, 1901, of their deficiency of earnings to meet the combined sum of their operating expenses, interest on their excessive bonded indebtedness (for large amounts of which the railroad companies received nothing which they can show) other interest paid to the "systems" which dominate them to a considerable extent yet and did so to a greater extent in the past, deficits produced by extravagant managements at times and by errors in judgment in selecting the wrong locations for lines, and the millions of dollars paid towards finishing construction and equipment of lines after they had been received from the construction companies in an unfinished and poorly equipped condition.

or 65.11 per cent; and income from operation from \$6,903,661.65 to \$13,087,733.14, or 89.58 per cent.

"* * * Valuations have heretofore been made by the Commission of railroad property in this State, which were published in detail form in the reports for 1894, 1895, 1896 and 1901. * * * These valuations in accordance with the provisions of the law have been formally filed in the office of the Secretary of State after due notice was given to the railroad companies.

"* * * There yet remains at this time, unvalued by the Commission, about 830 miles of railroad in the State, the greater part of which will be valued during the coming year.

"* * * Under the provisions of the Act of April 8, 1893, controlling the issuance and requiring the registration of all railroad stocks and bonds, there had been approved and directed registered in the office of the Secretary of State, by the Commission, since the date said act became effective, up to October 26, 1901, railroad bonds aggregating the sum of \$10,548,000. From October 26, 1901, to October 16, 1902, * * * there have been additional railroad bonds approved and authorized registered on 270.41 miles of road to the aggregate amount of \$4,869,000.

"* * * Aggregate amount of railroad bonds that have been approved and registered to October 16, 1902, \$15,417,000, showing an increase of \$2,655,000 over the bonds approved and registered during the preceding period from November 1, 1900, to October 26, 1901."

RAILROAD CONSOLIDATIONS AND REASONS ADVANCED THEREFOR. RAILWAY SYSTEMS IN TEXAS.

Special acts passed by the Twenty-eighth Legislature in 1903, authorized the consolidation of the following lines:

Chicago, Rock Island & Gulf Railway, Chicago, Rock Island & Texas, 147.29 miles; Chicago, Rock Island & Mexico, 91.75 miles; Choctaw, Oklahoma & Texas, 94.83 miles; Choctaw, Oklahoma & Texas, under construction, 86 miles, and Chicago, Rock Island & Gulf, under construction, 32 miles.

St. Louis, San Francisco & Texas, 6.66 miles; Red River, Texas & Southern, 57.54 miles; Fort Worth & Rio Grande, 196.16 miles; Paris & Great Northern, 16.94 miles; Blackwell, Enid & Texas, 12.28 miles, and Oklahoma City & Texas, 8.50 miles.

Missouri, Kansas & Texas Railway of Texas, 1069.92 miles; Denison & Washita Valley, 6.40 miles, and Georgetown, Granger, Austin & San Antonio, 15.10 miles.

Gulf, Colorado & Santa Fe, 1039.11 miles; Gulf, Beaumont & Kansas City, 62.37 miles, and Gulf, Beaumont & Great Northern, 58 miles.

Southern Kansas Railway of Texas, 115.13 miles; Pecos & Northern Texas, 94.50 miles, and Pecos River, 54.27 miles.

St. Louis Southwestern Railway of Texas, 652.43 miles, and Texas & Louisiana, 22 miles.

International & Great Northern, 1071.07 miles, and Houston, Oaklawn & Magnolia Park, 6.34 miles.

The following questions, relating to these consolidations, were propounded, for the "Year Book," to one whose replies thereto (printed after each question) may be regarded by the reader as authoritative:

1. What plea did the roads submit in support of the consolidations?

Ans.: "The claim was made that traffic, convenience, and economy demanded them."

2. What alleged benefits did they contend would result (1) to the public, and (2) to the roads?

Ans.: "It was claimed (1) that the public would be benefited by securing single-line rates, instead of having to pay two-line rates, and (2) that, as to the roads, short, weak lines would pass into the possession of strong companies that would be able to keep them up and add to their mileage."

3. What actual benefits will probably result?

Ans.: "The actual benefits will probably be increase of mileage by the strong lines referred to, each reaching out into new fields and affording railway facilities to portions of the State that would not otherwise secure them for several years to come."

RAILWAY SYSTEMS.

The following are the railway systems that now (August, 1903) operate more than one line of road in Texas:

SOUTHERN PACIFIC SYSTEM.

Galveston, Harrisburg & San Antonio.....	917.00 miles.
Texas & New Orleans	394.90 miles.
New York, Texas & Mexican.....	150.81 miles.
Gulf, Western Texas & Pacific.....	111.20 miles.
San Antonio & Gulf.....	37.95 miles.
Galveston, Houston & Northern.....	54.19 miles.

SANTA FE SYSTEM.

Gulf, Colorado & Santa Fe.....	1039.11 miles.
Gulf, Beaumont & Kansas City.....	62.37 miles.
Gulf, Beaumont & Great Northern.....	58.05 miles.
Southern Kansas of Texas.....	115.13 miles.

Pecos & Northern Texas.....	94.50 miles.
Pecos River.....	54.27 miles.
Rio Grande & El Paso.....	20.17 miles.

FRISCO SYSTEM.

St. Louis, San Francisco & Texas.....	6.66 miles.
Red River, Texas & Southern.....	57.54 miles.
Fort Worth & Rio Grande.....	196.16 miles.
Paris & Great Northern.....	16.94 miles.
Blackwell, Enid & Texas.....	12.28 miles.
Oklahoma City & Texas.....	.8.50 miles.

KATY SYSTEM.

Missouri, Kansas & Texas, of Texas.....	1069.92 miles.
Denison & Washita Valley.....	6.40 miles.
Denison, Bonham & New Orleans.....	24.17 miles.
Dallas, Cleburne & Southwestern.....	9.80 miles.
Georgetown, Granger, Austin & San Antonio.....	15.10 miles.
Wichita Falls.....	17.96 miles.

ROCK ISLAND.

Chicago, Rock Island & Texas.....	147.29 miles.
Chicago, Rock Island & Mexico.....	91.75 miles.
Choctaw, Oklahoma & Gulf.....	94.83 miles.
El Paso Northwestern.....	23.80 miles.
Chicago, Rock Island & Gulf.....	32.00 miles.

HOUSTON & TEXAS CENTRAL SYSTEM.

Houston & Texas Central.....	691.73 miles.
Houston East & West Texas.....	191.00 miles.
Lancaster Tap.....	4.76 miles.

GOULD LINES.

International & Great Northern.....	1095.80 miles.
Texas & Pacific.....	1040.30 miles.
Weatherford, Mineral Wells & Northwestern.....	23.00 miles.
St. Louis Southwestern Railway of Texas.....	647.40 miles.
Galveston, Houston & Henderson (Joint M. K. & T.)....	48.60 miles.
Denison & Pacific Suburban.....	7.60 miles.

DENVER SYSTEM.

The Fort Worth & Denver City.....	448.57 miles.
Wichita Valley.....	51.00 miles.
Fort Worth & Denver Terminal.....	5.00 miles.

TREASURY DEPARTMENT.

John W. Robbins, State Treasurer; re-elected November 4, 1902; salary \$2500. Office force: Chief clerk, eight clerks, seven bookkeepers and messenger. Appropriation for the department for the two years ending August 31, 1905, \$108,342, of which amount \$50,000 is to refund, under certain circumstances, to purchasers and lessees of public lands, money paid by them to the State. [For a history of the department under the Republic of Texas and State of Texas, see the "Year Book for Texas for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas; price \$2.]

Balances in State treasury on the 31st day of August, 1902: General revenue fund, cash, \$1,134,455.99, bonds, \$2728; available school fund, cash, \$202,690.22; *permanent school fund, cash, \$610,496.01, bonds, \$10,601,651.90; county tax fund, cash, \$5074.25; available University fund, cash, \$66,340.92; permanent University fund, cash, \$11,035.30, bonds, \$579,700; permanent Blind Asylum land sales account, cash, \$9299.31, bonds, \$115,500; permanent Deaf and Dumb Asylum land sales account, cash, \$14,220.17, bonds, \$61,000; permanent Lunatic Asylum land sales account, cash, \$7900.68, bonds, \$111,700; permanent Orphan Asylum land sales account, cash, \$2259.05, bonds, \$11,200; Agricultural and Mechanical College fund, cash, \$1886.87, bonds, \$209,000; unorganized county tax fund, cash, \$79,280.32; redemption lands in unorganized counties, cash, \$2512.21; available University fund (medical branch), cash, \$5403.89; available Orphan Asylum fund, cash, \$2608.66; cost advertising lands in unorganized counties, cash, \$615.64; pro rata indebtedness fund, cash, \$2185.63; escheated estates fund, cash, \$6681.36, bonds, \$991; available penitentiary fund, cash, \$20,000; settlement of estates fund, cash, \$2612.79; fish and oyster fund, cash, \$240.77; special loan tax fund, cash, —, bonds, \$79,409.50; Dallas city subsidy bond account, cash, \$12,719.56; Sherman city subsidy bond account (T. & P.), cash, \$2.84; Tyler city subsidy bond account, cash, 41 cents; Waxahachie city subsidy bond account, cash, \$128.15; excess purchase price, etc., account, cash, \$172.85; total cash, \$2,200,823.85; total bonds, \$11,772,880.40.

*Against this balance warrants have been drawn but not presented for payment, aggregating \$317,000.00, leaving a surplus amount of cash in above fund uninvested \$293,496.01.

COMPTROLLER OF PUBLIC ACCOUNTS.

R. M. Love,¹ Comptroller; re-elected November 4, 1902; salary \$2500 per annum. Assistants: Chief clerk, thirty-nine clerks, three bookkeepers, stenographer and messenger. Total appropriation for the support of the department² for the two years ending August 31, 1905, \$121,630.

The table reproduced in this article is taken from the Comptroller's report for the fiscal year ending August 31, 1902:

"It is gratifying to note," says the Comptroller, "the healthy condition of the State finances and the correspondingly steady growth and prosperity of the various industrial enterprises of her people as evidenced by the assessors' returns. The valuation of property for the year 1902 rendered for taxes has turned the billion point, the highest mark ever reached in the history of the State. * * * The increase of thirty-five millions this year, in the face of probably the worst crops

¹ Col. Love was shot and killed in his office at the capitol a few minutes past 10 o'clock Tuesday morning June 30, 1903, by R. G. Hill, at the time a bookkeeper for the Austin City Water and Light Commission, but up to the time of Col. Love's installation as head of the department an employe in the Comptroller's office. Hill, after conversing pleasantly a few moments, handed Col. Love a letter and, while it was being read, drew a pistol and shot him just below the heart. Chief Bookkeeper J. W. Stephens rushed, from an adjoining room, to Col. Love's assistance and grappled with Hill, but could not reach him in time to prevent him from firing a second shot into the left side of Col. Love. After a brief struggle Hill jerked loose and ran through the next room into the hallway, closely pursued by Stephens, who again seized and attempted to disarm him. In the scuffle Hill's pistol was discharged by his own hand, the bullet entering his stomach and ranging downward. Stephens eased him to the floor and then took the pistol from him, and, also, a bottle of laudanum that he held in his left hand and requested to be allowed to drink that he might die easy. Mr. Hill was taken to the Austin Sanitarium where he died about 3 p. m. He had previously borne a good reputation and was thought by his most intimate friends to have been demented at the time of this tragedy. Mr. Hill left a wife and children. In his dying moments Col. Love requested Gov. Lanham to appoint J. W. Stephens as his successor. He expired a little before noon. Col. Love's body was taken to his residence where it was in charge of a Masonic guard of honor. At 9 o'clock at night religious services over the remains were held at the Cumberland Presbyterian church. Gov. Lanham and other prominent State officials attended the remains to the place of interment at Tehuacana. Col. Love's surviving family consists of his widow, two sons and five daughters. This tragedy cast a gloom over the whole community, to say nothing of the poignant sorrow in the two households. Could such things be in a sound civilization? Gov. Lanham appointed Mr. Stephens Comptroller July 3, 1903, and he qualified and took charge of the department July 8, following. Mr. Stephens was born in Granada county, Mississippi, in 1854, and was brought to Texas in 1859 by his parents, who settled in Limestone county, where he has since resided. He was appointed chief bookkeeper in the Comptroller's department January 15, 1900. After having filled various positions of honor and trust in Limestone county, he was chief deputy under Col. Love while that gentleman was United States marshal for the northern district of Texas.

² For a history of the department under the Republic of Texas and State of Texas and list of Comptrollers and dates of their terms of service, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

made for years, indicates that the phenomenal increase of the year before is on a substantial basis."

COMPARATIVE STATEMENT OF THE VALUES OF PROPERTY IN THE STATE OF TEXAS AS SHOWN BY THE ASSESSMENT ROLLS FOR THE YEARS GIVEN.

Class of Property	1901		1902	
	No.	Value	No.	Value
Land, acres	135,801,269	\$422,313,792	139,040,030	\$437,215,401
Town and city lots.....	.....	198,829,955	.....	201,103,681
Horses and mules	1,531,510	39,816,640	1,552,872	38,260,846
Sheep	1,505,427	2,105,994	1,521,834	2,071,297
Cattle	6,894,807	74,568,436	7,575,390	74,228,489
Jacks and jennets	14,510	476,730	14,749	469,831
Goats	453,857	517,882	458,712	524,019
Hogs	1,408,476	2,458,897	1,014,315	1,608,593
Dogs	30,452	164,116	28,808	183,348
Carriages, wagons and other vehicles	421,138	10,623,718	437,356	10,907,608
Goods and merchandise .....	.....	41,262,901	.....	46,100,827
Materials and manufactured articles .....	.....	2,101,785	.....	2,314,028
Manufacturer's tools and implements .....	.....	10,557,125	.....	11,981,908
Engines and boilers .....	.....	4,392,294	.....	4,855,593
Moneys of banks, bankers, etc. ....	.....	10,549,843	.....	12,789,330
Moneys of other than banks and bankers .....	.....	15,075,861	.....	11,550,847
Credits of other than banks and bankers .....	.....	16,536,695	.....	18,218,868
Bonds and stocks, other than U. S. bonds .....	.....	1,881,158	.....	2,357,311
Shares of capital stock companies and associations .....	.....	5,682,097	.....	5,654,024
Property of companies and associations other than above .....	.....	1,023,765	.....	1,936,289
Miscellaneous property .....	.....	28,868,357	.....	26,991,258
Railroad miles	10,041	73,951,065	10,741	77,227,225
Rolling stock, railroads .....	.....	10,002,858	.....	10,293,482
City street railroads, miles.....	231	1,145,490	285	1,439,151
Telegraph and telephone lines, miles	27,823	2,037,076	23,890	2,508,365
Steam, sailing and other vessels	195	450,825	200	365,300
Land of nonresidents in unorganized counties	4,558,008	4,558,008	5,282,580	5,282,580
Railroads, miles in unorganized counties	59	219,740	39	121,740
Rolling stock in unorganized counties .....	.....	12,768	.....	10,080
Telegraph and telephone lines, miles in unorganized counties	59	1,994	39	1,015
Total .....	.....	\$982,187,865	.....	\$1,017,571,732

Speaking of the bonded debt of the State (\$3,989,400), Colonel Love says that of outstanding bonds, "\$288,000 mature in 1904, \$1,647,000

in 1906, \$1,269,000 in 1909, \$298,000 in 1910, \$334,500 in 1933, and \$152,000 at the option of the State. And * * * if the balance, \$891,455.46 appearing to be due the permanent school fund on account of the railroad bonds heretofore mentioned³ as having been discharged by the roads, is regarded as a valid charge against the State, provision for funding or payment should be made. The amount found to be due, if accepted by the State, might be covered by a bond to run thirty years, 3 per cent interest, with the interest and one-thirtieth of the principal payable annually, if it is desired to pay the debt within that period of time. In my judgment, it would be a wise policy to make similar provisions for the discharge of our entire bonded indebtedness."

Among other recommendations made by the Comptroller was the enactment of laws equalizing the burden of taxation.⁴

³ The bonds he refers to as having previously mentioned, were the following: Houston & Texas Central Railroad, \$411,935.34; Galveston, Harrisburg & San Antonio Railway, \$392,863.72; Washington County Railroad, \$86,655.90; Texas & New Orleans Railway, \$342,232.33, aggregating \$1,233,687.79, in connection with which he said:

"The effect of the decision of the United States Supreme Court in suits brought to enforce the payment of interest and sinking fund on the above securities held against the three roads first named (the H. & T. C., the G. H. & S. A., and W. C.) is that the debt has been discharged in full (177 U. S., 66 and 103). The loans by which this indebtedness was incurred, were made prior to and during the first years of the civil war. The payments claimed by the roads and contested by the State were made in State treasury warrants drawn against the general revenue account. It would appear, then, that the general revenue account is indebted to the permanent school fund in the amount involved, \$891,455.46. If further proceedings are not contemplated toward obtaining settlement from these roads, and it seems from the decisions cited that the matter is practically settled against the State, some legislative action should be had to adjust the accounts."

⁴ In this connection Gov. Sayers' message to the Legislature January 16, 1903, contained the following:

"The Comptroller recommends legislative action looking to the improvement of the present system for the assessment and collection of taxes. The subject was brought to the attention of the Twenty-sixth and Twenty-seventh Legislatures, but nothing was done. It is strictly true that the amount of property escaping taxation steadily increases year by year, and that when rendition is made, it is so rated as to hardly reach one-third of its true market value. A favorite and unconcealed method of defrauding the general revenue and available school fund prevails in many of the counties through the maintenance of the county rate at a high and unnecessary figure, and as compensation to the tax payers the lowering of assessment values. This procedure results in loss to the funds mentioned.

"Again, the disparity among the counties in the valuation of lands is such that, when generally understood, can not but cause great discontent. Investigation will show that the poorer and less fertile lands are assessed much higher in proportion to their value than are the richer and more productive. No greater evil can exist in government than unjust and discriminating taxation, intentionally imposed or resulting from failure to require every interest of whatever character to contribute its full proportion to the support of the public service. The mandatory provision of the Constitution that all property, whether owned by natural persons or corporations, shall be taxed in proportion to its value, has been openly disregarded for many years, and today is practically a nullity. It is unfortunately too true that men, who are honest in their private dealings, will unhesitatingly defraud the government of its just dues through taxation, provided no serious penalty follows."

**WILLIAM T. SHANNON,
BELTON.**

While the atmosphere exerts a pressure of fourteen pounds to the square inch upon the surface of the human body, its weight, under normal conditions, is not felt. On the contrary it helps sustain the form, aids it in all its motions, and supports and renders life delightful.

An ideal civil government would be one that would occupy a similar relation to the body politic. If this ideal is ever even approximated, which, perhaps, is all that may be reasonably hoped for, it will be under republican institutions such as are now in process of development in the United States.

For this development to proceed and a reactionary movement toward the distressing conditions of by-gone ages prevented the electors must vividly realize and be guided in their political action by the truth that citizenship is a sacred trust, and devote to the discharge of the duties attached to it the thoughtful care and telling energy which men of ordinary prudence bestow upon business affairs whose success involves the financial and other well-being of themselves and their descendants.

In a republic where laws are enacted and government is administered not by the people directly (as in some of the petty democracies of antiquity and even of modern times), but by representatives selected by them, it is of first importance that these representatives should be men of superior abilities, high character, and devoted to the public interest.

The people of the Seventieth Representative District (Bell county), Texas, seem to realize these facts in full force, judging by the personal worth, scholarly and professional attainments and intellectual force of the men they have during the past quarter of a century sent to the State Legislature. Of these, it may be said truthfully that none deserves to rank higher in public estimation or upon the pages of the State's history, than the subject of this brief, passing notice, William T. Shannon.

He is a native Texan—born in Walker county in 1855.

His grandfather, John Shannon, originally from North Carolina, moved to Texas from Arkansas in 1836, and was thereafter a planter in Montgomery county.

His father, William C. Shannon, was born and reared in Texas, resided in Montgomery county until 1856, and then moved to Grimes county, where he continued farming, and was a leading citizen until the time of his death, in 1874.

His mother, Mrs. Martha J. Shannon, died in Grimes county, Texas, in 1876. She was born in North Carolina. Her father, Roderick McNair, a North Carolinian by birth, moved to Mississippi, and thence to Texas in 1849.

Mr. Shannon was educated at Trinity University, Tehuacana, Texas, and Cumberland University, Lebanon, Tenn., graduating from the latter institution with the LL. B. degree in 1890, and was thereupon admitted to the bar.

He located at Belton in 1890, and has since been actively and successfully engaged in the practice of his profession in that city.

He was city attorney of Belton from 1882 to 1886, county attorney of Bell county from 1886 to 1890, district attorney of the Twenty-seventh district from 1890 to 1896, and member of the House of the Twenty-sixth, Twenty-seventh, and Twenty-eighth Legislatures, having been elected to represent the Bell county legislative representative district in 1898, 1900, and 1902, securing in the primaries and at the polls overwhelming majorities that testified unmistakably to the extent and permanence of the good opinion in which he is held by his constituents.

This opinion is well merited. The journals of the three legislatures in which he has served present a record of faithfulness to duty, enlightened statesmanship, and work performed, of which his friends may well feel proud, and the volumes containing laws enacted include but few of importance that he did not help to mold.

In the Twenty-seventh Legislature he was chairman of the Committee on Constitutional Amendments, and a member of Judiciary Committee No. 1, and other important committees. Speaker Prince appointed him one of the members of the committee provided for by joint resolution of the Twenty-seventh Legislature, approved October 21, 1901, to investigate and report upon the condition of all State departments and institutions. This proved to be a most excellent selection, as Mr. Shannon brought to his part of the work a seriousness and thoroughness that was productive of the best results.

In the Twenty-eighth Legislature he was chairman of the Committee on Rules and a member of a number of leading committees.

In the article entitled "Twenty-eighth Legislature," and other articles elsewhere in this volume, mention of him occurs in various connections.

He was united in marriage to Miss Alice Wantland at Sherman in 1883—one of the most charming and talented young ladies of that city. They have a delightful home, blessed with a number of children.

Mr. Shannon is of robust physique. His mental and moral qualities are, also, of sturdy fiber. He belongs to the class that Carlyle eulogizes as "earnest men"—the kind who have work to do, and who accomplish it.

He is in the prime of life, has made a fine start, and will, it is believed, win in the service of Texas, many other laurels worthy to be worn.

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JOHN HENRY KIRBY.

JOHN HENRY KIRBY,
HOUSTON, TEXAS.

The past is the reason for the present and prophet for the future. The romance, the chivalry, the suffering, the toil, the great accomplishments, the failures, and all the complex incidents of former days that constitute the inspiring and monitory substance of Texas history live now only upon the printed page, in musty archives, in the memories of a few aged persons, and in results.

To those who have gone before the State is indebted for its system of laws, and the inception of its expanding institutions, and the unobstructed field for further progress that lies out before it; but, by far their greatest bequest has been their sons—the native-born Texans who are now rapidly assuming the parts of principal actors in the deepening and unfolding drama of Texas progress.

While perhaps not far distant, the time has not yet arrived for Texas-born United States senators; but one ex-governor of Texas, several members of the United States House of Representatives, State Legislature, higher courts, and University of Texas and other college faculties, and many of the leading figures in business circles are native to the soil.

It may be truthfully said that of the men of prominence born in Texas, the one most widely known and whose labors promise the greatest material good to the State, is the able lawyer and financier who has been selected as the subject of this memoir.

John H. Kirby was born in Tyler county, Texas, November 16, 1860; the son of John Thomas Kirby and Mrs. Sarah (Payne) Kirby, who moved to Texas from Mississippi in 1850 and now live on the old home-stead (2000 acres of land) near Chester. His parents were married at Monticello, Miss., in 1841, and celebrated the sixty-first anniversary of that event December 18, 1902. His father, born in Kentucky, February 4, 1821, was sheriff of Tyler county, Texas, in 1860-1, served gallantly as a Confederate soldier during the war between the States, and then resumed farming, which he has subsequently followed.

His mother is a daughter of the late Nelson Payne, of Copiah county, Mississippi.

The Kirby family is of English descent. Three brothers of the name came to America before the revolution of 1775-83, and served in the Continental army. After the close of the war for independence, one of the number, Edmund Kirby, moved to Virginia, there married Mary Shepherd, and then moved with his wife to Stokes county, North Carolina, where James Kirby was born. James Kirby married Elizabeth Longino, daughter of John Thomas Longino, an Italian nobleman who was banished from Italy in 1773. To them was born John Thomas Kirby, father of John H. Kirby.

The Longinos have contributed a number of distinguished men to the

country, among others, Hon. Houston Longino, the present governor of Mississippi.

Mr. Kirby was educated in the common schools of Tyler county, the high school of that county at Woodville, and the Southwestern University at Georgetown, earning the money to pay his tuition and other expenses.

He was united in marriage to Miss Lelia Stewart, daughter of the late John W. Stewart, at Woodville, in 1883, and has one child, a daughter, Miss Bessie May, now seventeen years of age.

It is a common experience that when hardships are long past, we derive pleasure instead of pain from viewing them in perspective—the inconvenience or suffering they caused no longer harasses, and the humorous side, which at the time was not evident, becomes apparent; witness the fireside tales of pioneers, soldiers, seamen, and men now wealthy, but who were once poor. This is true in Mr. Kirby's case as in that of others. He recalls with much zest the fact that when he married he did not have enough money to commence housekeeping, and that he obtained it by serving as a committee clerk in the Eighteenth Legislature, and working in the office of the county clerk of Tyler county. While so engaged he read law in the office of Hon. S. B. Cooper, at Woodville, and was admitted to the bar in 1885. He secured law business from the beginning and was soon in independent circumstances, and in 1896 was compelled to retire from practice to attend to the large industrial interests of which he had become the directing head.

He has been a delegate to every State Democratic convention held since 1882, and has taken an active interest in public affairs, not as an office-seeker, but to aid in securing party success and its concomitant—good government.

In every great undertaking having for its object the upbuilding of Texas and the Southwest, his services have been demanded in a leading capacity and freely given.

At this writing he is president of the Trans-Mississippi Commercial Congress and President of the Texas World's Fair Commission.

He became a Master Mason in 1881, a Royal Arch Mason in 1882, a Knight Templar in 1888, a Scottish Rite 32d Degree Mason in 1890, a Knight of the Ancient Arabic Order of the Mystic Shrine in 1902, a member of the Knights of Pythias fraternity in 1888, and a member of the Benevolent Order of Elks in 1889.

Religiously, he is of the Episcopal persuasion.

He is tall, and somewhat athletically built, his features regular, his eyes blue, bright, clear and steady; his manner decided, but courteous and kindly, and his bearing and conversation, while unaffected, such as would mark him in any society as a man of distinction and a gentleman—defining the latter term to mean one who, in those respects, and in adherence to the principles of honor, may have equals, but can have no superior.

Speaking of him the "American Lumberman," the great trade jour-

nal published at Chicago, says: "Shortly after beginning the practice of law Dame Fortune knocked at his door and was bidden to enter. Some Boston parties were in trouble about a land deal and needed the services of an attorney to settle the matter. The same energetic traits that had made an attorney of the farmer boy won this important case for him. They won far more. The confidence of the Eastern capitalists was gained and resulted in the formation of the Texas and Louisiana Land and Lumber Company. This was in 1886. From this time until the present Mr. Kirby's career has been signalized by the formation of company after company for the exploitation of the rich resources of eastern Texas. The first lumber company organized was for the purpose of manufacturing lumber and purchasing timber lands. This was followed by the launching of the Texas Pine Lands Association, of which corporation he became general manager.

"His interests became so great that in 1890, in order to be able to see people and to be seen by them, he moved to Houston, where he has resided ever since. He was then thirty years of age and was at the head of two of the largest timber companies in Texas.

"The difficulties and loss caused by the logging methods then in operation, as well as the immense quantities of timber that were inaccessible on account of lack of transportation facilities, next attracted his attention. In 1893 he conceived and carried to successful termination the building of the Gulf, Beaumont & Kansas City Railway, which penetrated the heart of the eastern Texas pine district. The force of his character is shown by this accomplishment. The panic of the succeeding years carried many of the strongest institutions in the country to the wall, but the road was built. How? is a question that few understand. Even those engaged with him in the enterprise scarcely know how the money for carrying out the plans was obtained. The road, when sold to the Santa Fe system, ran north from Beaumont a distance of about seventy-five miles, and right of way had been secured for its completion to San Augustine and thence to Center, fifty miles further to the north. The road is today a part of the Santa Fe system and is a substantial dividend payer.

"It was after disposing of the railroad that the great scheme of Eastern Texas was presented to his mind. This embodied nothing less than the purchase of the various tracts of timber lands then on the market in East Texas. He had confidence in his plans, and inspired a confidence in the minds of his associates which has since been amply justified by results. The timber lands purchased during the panicky times of 1893-96 are today worth many times the prices paid for them.

"Capitalists were tired of holding as an investment tracts of timber that were apparently depreciating in value every day. It was Mr. Kirby's chance to buy timber and get it at his own figure. He continued to purchase as long as there was any offered for sale, regardless of the expressions of others that he would go to smash with the timber which had proven a burden to former owners. The plans for uniting his vast hold-

ings were then in process of formation. He would form a lumber company able to take contracts for bills of timber and deliver them to any part of the world, a company that would be able to fill any order, regardless of its magnitude.

"His plans, together with the resources he was willing to put up as an expression of his faith in them, were laid before critical Eastern capitalists, and the result was the formation of a \$10,000,000 lumber company. Ready cash was needed in large quantities, but was forthcoming, and has been ever since when necessary. The company now owns and operates the mills of what were previously fourteen companies, viz, The Reliance Lumber Company, the Texas Tram and Lumber Company, the Beaumont Lumber Company, all of Beaumont; the Bancroft Lumber Company, of Orange, Texas; Texas Pine Lands Association, of Silsbee, Texas; Yellow Pine Tie and Timber Company, of Lillard, Texas; Cow Creek Tram Company, of Call, Texas; Kirby Lumber Company, of Kirbyville, Texas; Rogansville Lumber Company, of Rogansville, Texas; J. F. Keith Company, of Sharon, Texas; Village Mills Lumber Company, of Village, Texas; Southwestern Lumber Company, of Mobile, Texas; Doucette & Chapman Mills, of Woodville, Texas, and the T. H. Hackney Lumber Company, of Menard, Texas.

"He was the leading spirit in the formation of the Houston Oil Company, which owns the lands and timber which have been contracted for by the Kirby Lumber Company. This concern has been capitalized at \$30,000,000, and has assets to its credit of nearly \$50,000,000, mostly in yellow pine stumps, though owning and controlling some of the best oil lands and oil interests in Texas. * * * The main body of the company's holdings lies in the famous Neches valley, celebrated for its fine timber lands and good oil prospects. * * * Timber and oil lands are owned in fee simple in Jefferson, Liberty, Hardin, Tyler, Newton, Jasper, Sabine, Polk, San Augustine, San Jacinto, Aransas, and a number of other counties. After the formation of the company it entered into a stumping contract with John H. Kirby for the sale to him of 8,000,000,000 feet of longleaf yellow pine timber. Under this contract a tree unless capable of producing a log twelve inches in diameter at the small end shall not be cut. This contract with Mr. Kirby as an individual was assigned, with the consent of the Houston Oil Company, to the Kirby Lumber Company, the latter obligating itself to be bound by the same restrictions imposed upon the original vendee."

The mills now owned by the Kirby Lumber Company are capable of producing about 350,000,000 feet of merchantable lumber each year. The construction of additional mills is contemplated, until a capacity of 500,000,000 feet annually is reached. Under the scientific forestry methods adopted, the forests owned by this company will increase rather than diminish in value as the years go by.

The affairs of the Kirby Lumber Company are directed by its general officers from its home in Houston. When the company was launched the offices occupied the second floor of the Planters and Mechanics Bank

on Main Street, but these quarters soon became too small, and shortly afterwards the sales and accounting departments were given an entire floor on Franklin Street. The two offices are connected by a rear passage, which practically puts all the offices on one floor, as the distance traversed by the passage-way is short. Many of the heads of departments retain their private quarters in the bank building, and there also is located the main general office of the Houston Oil Company. In every enterprise with which Mr. Kirby has been connected, he has accomplished what was expected of him and earned the highest eulogiums from his friends and co-workers. He was receiver of the Houston Electric Railway, and with skill and judgment put that company's affairs into splendid shape. He is at the head of the Southwestern Oil Company, a producer, refiner and distributor of oil, with headquarters in Houston and branches in all the principal cities of Texas; and, in addition, he has various other interests, not the least of which are in connection with recently located Texas oil fields. Among positions held by him, he is president of the Kirby Lumber Company, president of the Planters and Mechanics National Bank of Houston, president of the Southwestern Oil Company, and until recently president of the First National Bank of Austin.

The first National Bank of Austin closed its doors August 4, 1901, with several hundred thousand dollars of the State's money in its vaults. This money came there under the operation of a system of collecting drafts sent to the State treasury that had been in vogue for more than twenty years and the danger attending which no one suspected until this denouement. Those owning an interest in the institution expressed a willingness to do all in their power to protect the collections made for the State and the deposits of private individuals. The affairs of the bank, however, were in a bad and much tangled condition—hopeless, unless some man of great financial genius, broad patriotism, devoted and unselfish attachment to the Democratic party, and large means could be found to straighten them.

The Governor and the Legislature (then in session) turned at once to Mr. Kirby as the man. They were not disappointed in his ability, love for the State, or party fealty. Surveying the situation, his brain at once found a solution of the difficulties. In accordance with the plan he suggested, the bank was reopened under an arrangement submitted in a message by Governor Sayers and authorized by the Legislature, and in a few months paid in installments all of the money due the State, and shortly thereafter had in its vaults cash to the credit and subject to sight checks of all depositors, to the full amount due them.

To accomplish this Mr. Kirby was made president of the bank.

The good work was later continued by him. He was determined to stop at nothing short of putting the affairs of the bank in a thoroughly healthy condition, establishing the most conservative and safest methods of management, restoring public confidence in it, and building up a large, paying and constantly growing business for it.

These objects attained, he resigned the presidency May 27, 1903, and Mr. J. L. Hume was elected to succeed him. At the same time Mr. A. S. Vandervoort resigned the position of cashier and Mr. Geo. L. Hume was elected in his stead.

The "Austin Statesman" of May 28th contained the following:

"To a reporter of The Statesman, who saw Mr. Kirby at the Driskill last night, he said:

"It is true that I have sold a part of my stock in the bank. I did so because it is not at all convenient for me to give personal attention to the management, and I have confidence that the Messrs. Hume will achieve flattering success in its administration. The institution is thoroughly sound and is growing rapidly. I still retain quite a large interest in the bank, and it was not so much to realize upon my holdings as it was to relieve myself of the responsibility of the management that I have disposed of a part of my shares. Having accomplished my primary purpose, viz., the protection of the State treasury by assuming control of this bank, and having placed it, through the favor of the commercial community, on a thrifty basis, there is no reason why I should remain longer in control of its current business. The bank is a winner, and I have confidence in its future."

"Mr. A. S. Vandervoort was seen at the bank, and in reply to The Statesman's inquiries, said the negotiations had been under way but a short time.

"The truth is,' he said, 'Mr. Kirby has large interests all over Texas. He believes in his State. He opened this bank more from motives of patriotism, and to aid certain of his friends, than to make money for himself. The venture, however, like everything else he undertakes, has been entirely successful. I came here at his instance. My reception by the people of Austin has been most gratifying. I expect to remain here for some time looking after Mr. Kirby's investments and may stay permanently. I shall continue as a director, and as a member of the finance committee, unless my duties take me elsewhere. * * *'

Upon his return from New York in the fall of 1901, after having financed the Kirby Lumber Company, Mr. Kirby was the recipient of a monster demonstration, the counterpart of which has never been given to another Texan. Representative citizens of the State, as well as the city of Houston, assembled to do honor to the man and the occasion. On the evening of November 12, 1901, there were gathered in the parlors of the Rice Hotel at Houston, men not only from all parts of Texas, but from the leading cities of the Union. Among the speakers was Governor Joseph D. Sayers.

The demonstration came as a complete surprise to Mr. Kirby, and will linger long in the memory of all present.

He has not amassed his fortune from the wreck of others. His is a creative genius, not a destroying power. He has enriched, not impoverished, those with whom he has been associated.

It has been said that generations succeed one another like shadows on

the grass—that, compared with the endlessness of time, they are as fleeting as moisture upon a mirror; but, it is well to remember that these statements are only partially true—true as to rapidity of succession and brevity of duration, but false as to want of substantiality and as to failure to leave behind anything of a permanent nature, and false, also, in the lesson they are intended to inculcate, viz., the uselessness and want of value of effort.

Survey the world as it is, contrast it with the period of the prehistoric cave-dwellers, and realize the immensity of what has been accomplished during the interval as the race has struggled bravely upward through the ages, mounting to higher planes, and these facts are apparent.

The idle and aimless dreamer, the world-weary cynic, the selfish plodder, the person of little faith, and the heir of wealth contenting himself with being a mere votary of pleasure have had no part in bringing to pass by steady accretion, the results that are everywhere apparent. Not melancholy, soliloquizing Hamlets, but stout-hearted Fortinbras (capable men of action, troubled with no ghostly visions) are those who have pushed forward the lines of human advancement from one coign of vantage to another, until the race has at last deployed into the light of the twentieth century, buoyant, virile, and intrepid, conquering and to conquer.

Blessed as this generation is, its responsibilities are correspondingly great. It has much to do. It has great need of men such as John H. Kirby, and should properly value them, for upon their shoulders have fallen the mantles of the builders and valiant ones of old.

Texas proudly acknowledges him as a favorite son.

INDUSTRIAL PROGRESS IN TEXAS.

During 1902 and thus far in 1903, industrial development in Texas has progressed steadily and simultaneously in so many lines as to bewilder the casual investigator and tax even the powers of observation and comprehension of those who have made an attempt to systematically follow events—like denizens of seats in a many ringed show, they feel that, while they have seen much, they have certainly missed a number of acts that were, perhaps, equally as interesting.

New cotton mills, paper mills, flouring mills, and manufactories representing many lines of industry,¹ have been established, and others projected; railroad, telegraph, and telephone lines have been extended, hundreds of miles of irrigating canals have been put in; the oil, mining, cattle, lumber, farming, dairying, fruit growing, and other interests

¹ For statistics covering the history of manufacturing in Texas from 1850 to 1900, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

have continued to expand, and immigrants and capital to pour in, and in the midst of it all new ground has been broken and the way cleared for a still more rapid forward movement.

Texas has evidently fallen heir to the seven-league boots, and is striding forward with them, not only with sturdy impetuosity, but intelligent definiteness of purpose.

NEW ORLEANS MERCHANTS.

A representative party of New Orleans business men made a tour of observation through Texas in May, 1902, and were everywhere accorded a cordial welcome and extended such hospitalities as their rapid traveling would admit.

They were met at Austin by Mayor White and a committee of citizens who escorted them to the capitol and later gave them a carriage drive over the city.

Governor Sayers being confined to his room by illness, his private secretary, Judge N. A. Cravens, received the visitors at the executive office and delivered an address of welcome, which was responded to by Secretary Hester of the New Orleans Cotton Exchange. Prof. A. L. Metz, of Tulane University, also made a few remarks.

Joe Leveque, of "Harlequin;" C. A. Dancy, of the "New York Commercial;" Wills J. Carter, of the "Daily Item;" Abbott Watterman, of the "Times-Democrat," Mr. Watson, of the "Picayune," and Mr. Mayo of the Southern Pacific Railway, and Mr. Smith of the Central, were in the party.

Judge Cravens is a Louisianian by birth, and when that fact became known, he was the recipient of many hearty handshakes.

Secretary Hester dilated at some length on the greatness of Texas, and declared that Texans were a big part of "the salt of the earth."

TOUR OF CHICAGO'S BUSINESS MEN THROUGH TEXAS.

Over one hundred of the leading financiers, railroad magnates, and other business men of Chicago made a tour through Texas in the early days of November, 1902, arriving at Gainesville at 5 a. m., November 6th, and subsequently visiting Denison, Sherman, Dallas, Fort Worth, Waxahachie, Corsicana, Bryan, Waco, Temple, Austin, San Antonio, Victoria, Wharton, Sugarland, Houston, Galveston, Beaumont, and Orange, proceeding from the latter place, via Crowley, La., to New Orleans.

The people of each city they visited vied with one another to show

them attentions, and they expressed themselves as delighted with the trip and the knowledge they had gained of the State of Texas.

Such visits have been a marked and gratifying feature of the past few years, the coming of delegations of St. Louis and New York business men in 1901 being especially notable. The period when Texas was a terra incognita belongs to the past. No State is now better known, and those interested either have informed, or are informing, themselves of the unrivalled business opportunities the State has to offer and the assured greatness of its future.

These facts are significant, for the reason they indicate that the march of material development in the State is, from now on, to be rapid and uninterrupted.

COL. W. J. BRYAN IN AUSTIN.

Colonel Bryan is well known to Texans, having been a frequent visitor to the State, and has many personal acquaintances in Austin, where, on several occasions, he has been the guest of ex-Governor Hogg.

On it becoming known January 6, 1903, that he was aboard the north-bound International & Great Northern passenger train from San Antonio (returning from a trip to various points of interest in Mexico with his family), Dr. S. E. Mezes, dean of the University of Texas, and Hon. Joe Lee Jameson met him at the Union depot in Austin on his arrival at 3 p. m., and escorted him to the capitol, where he was greeted by Governor Sayers and other State officials, and held an informal reception in the Governor's private office. He then paid his respects to Mrs. Sayers at the Governor's mansion, and later, in response to an urgent request, delivered a short address at the University to the student body.

He left for Galveston at 10:30 p. m., spent the following day in that city, proceeded thence to Fort Worth, where he rejoined Mrs. Bryan and his children, and then, after seeing them safely started on their homeward journey to Lincoln, Nebraska, went to Oklahoma, where he was billed to deliver lectures.

TEXAS FARMERS' CONGRESS.

The lesson of individual weakness and combined strength, taught in Aesop's fable, where he represents a dying father impressing it upon his sons by handing them a single stick which they easily snapped in two and a bundle of sticks tied together which they could not break, has been well learned by this generation.

Organization is the rule of the day. If perfected with good ends in view (either public or private) it is commendable—if with bad ends, capable of vast evil. The people have both propositions to face, and must turn the one to good account, and prevent, or minimize, the sinister effects of the other as best they can. The desire to re-inaugurate old conditions (if it exists) is an idle dream; to stand unqualifiedly against the new order, as futile as to defy the laws of nature. Farmers, as well as others, feel the need of union, are responding to the spirit of the times, and either have formed, or are forming, such organizations as they believe will promote their interests.

One of the best of these is the Texas Farmers' Congress, a federation consisting of the following State organizations and sectional, local and district societies:

State Horticultural Society, State Cotton Growers' Association, Texas Dairymen's Association, Texas Jersey Cattle Club, Texas Livestock Association, Texas State Floral Association, South Texas Truck and Fruit Growers' Association, Texas Beekeepers' Association, Texas Poultry, Pigeon and Pet Stock Association, Texas Nurserymen's Association, Women's Industrial Section, Red Polled Cattle Breeders' Association, Texas and Louisiana Rice Growers' Section, Hill County Auxiliary of the Texas Farmers' Congress, Williamson County Farmers' Institute, and Taylor County Farmers' Institute.

The Congress has met annually for some years past at College Station, as the guests of the State Agricultural and Mechanical College, each of the organizations holding separate meetings for the transaction of its particular business, and all a joint session (sometimes two sessions) daily of the Congress proper, for general work.

ORGANIZATION OF THE STATE ASSOCIATION "TEXAS STATE FARMERS' INSTITUTES."

Under the auspices of the Texas Farmers' Congress (a federation of the Cotton Growers and other independent associations) and the State Agricultural and Mechanical College, the work of organizing the farmers of the various counties in the State into institutes has been vigorously pushed during the past few years and a system of supplying lectures observed that has kept up and intensified interest in the movement.

LUMBERMEN'S ASSOCIATION OF TEXAS.

The seventeenth annual convention of this Association was held in the Scottish Rite Cathedral Hall at Galveston, April 14, 15 and 16, 1903.

The following officers were elected for the ensuing year: W. B. Brazelton of Waco, President; J. D. Leeper of Gainesville, Vice-President, and Carl F. Drake, Secretary-Treasurer; and the following Board of Directors: Willard Burton, Fort Worth; J. I. Campbell, Houston; T. A. Low, Brenham; S. V. Pfeuffer, New Braunfels; Cecil A. Lyon, Sherman; Albert Steves, San Antonio; J. M. Rockwell, Houston; A. M. McCormick, Paris; S. S. Walker, Groesbeck; J. C. Conway, Dallas; B. F. Williams, Victoria; A. W. Miller, Galveston; E. H. Lingo, Denison; George C. Vaughan, San Antonio, and Geo. W. Owen, Corsicana.

On motion the following advisory board were appointed: W. B. Brazelton, E. H. Lingo, J. M. Rockwell for a term of one year; W. W. Cameron, Cecil A. Lyon, J. D. Leeper, for a term of two years; J. I. Campbell, Albert Steves, G. C. Vaughn, for a term of three years.

The second Tuesday in April, 1904, was fixed as the time for the meeting of the annual convention, and Orange selected as the place at which it will be held.

The retiring president, Mr. Lingo, was honored by a unanimous rising vote of thanks for the able and acceptable manner in which he had discharged the duties of the office entrusted to him.

During the convention the following resolutions were submitted:

"Whereas, At the annual meeting of this body in the city of Houston in 1902 it was determined by resolutions that the members of this association contribute to the Texas World's Fair Commission, and that said contribution be as follows: By manufacturers, the sum of 5 cents on each 1000 feet manufactured in 1901, and by dealers the sum of 5 cents on each 1000 feet sold and delivered by them during said year, no dealer or yard to pay less than —; and

"Whereas, Owing to a postponement of the fair for one year the collection of the amounts so agreed upon was not made; and

"Whereas, The lumbermen of this State have always been recognized as a progressive and patriotic body of men; and

"Whereas, The failure of the Legislature of Texas to make provisions for the representation of this State at said St. Louis Exposition makes it imperative that such representation be had through voluntary contribution from the people; now, therefore, be it

"Resolved, 1. That the members of this association hereby commit themselves to subscriptions to said World's Fair fund as follows: Each manufacturer will pay the sum of $2\frac{1}{2}$ cents on each 1000 feet manufactured by him in the year 1902, and each dealer will pay the sum of $2\frac{1}{2}$

cents on each 1000 feet handled by his yard or yards during the year 1902.

"2. That each member of this association report to the secretary of this association by or before May 15, 1903, the amount of lumber handled or sawed by him during said year 1902, as shown by his books, and showing the amount due by him under this resolution to said World's Fair fund.

"3. That all checks or other obligations given in pursuance hereof be made payable to the treasurer of the Texas World's Fair Commission.

"J. D. LEEPER,
"JOHN H. KIRBY."

Mr. Williams of Victoria protested against the adoption of the report. He said: "I am opposed to the assessment of any member of this association for any purpose of this kind. The matter went before the Legislature and they failed to make the appropriation, so why should this association be taxed to make an exhibition?"

In discussing the resolution, Mr. John H. Kirby said in part: "You probably know that in the beginning of 1902 Governor Sayers appointed sixty-eight commissioners for the purpose of taking up the question of having Texas represented at the St. Louis World's Fair. They met in Dallas about January, 1902, and organized by providing for a corporation under the laws of Texas to be known as the Texas World's Fair Commission. Their object was to provide for a building and for the exhibition of the resources of Texas. They elected a board of directors and filed a charter with the Secretary of State. The directors got together and elected your humble servant as president. We immediately began a campaign for the raising of funds and for carrying out the object of the organization. I take it that there is not a citizen of Texas, without regard to his social position, his wealth or his poverty, but what he is sufficiently patriotic to desire this State suitably represented at the St. Louis World's Fair in 1904.

"The nations of the earth will be there. The States of America will be there. It is an educational undertaking purely. It is for the purpose of exhibiting the progress of the people and exhibiting the resources of the States and communities. It is in line with modern progress. There is not a man in Texas who desires to build a Chinese wall around her and turn back the wheels of progress or stand in the way of the development of her resources and the prosperity of her people.

"It was from patriotic motives of that kind, without expectation of reward other than the satisfaction that it would give us to have our State take a front rank in the march of progress in the States of the world, that induced the commissioners appointed by Gov. Sayers to accept the commissions handed them.

"At the time this organization was provided it was believed that we would have to rely solely upon individual subscriptions, owing to a con-

stitutional prohibition which would prevent the Legislature giving us assistance. Later we appointed a committee of eminent lawyers to consider the constitutional question in the way, and they came to the conclusion that the Legislature could make the appropriation for this purpose."

He then reviewed the course of the bill in the Legislature and the action of the commissioners at Dallas. Continuing, he said:

"Nobody has a stronger interest in this work than the individuals composing this body. I am not appealing to you in behalf of the commissioners, but I am making a report to you as a citizen of Texas, occupying this position as your agent, and requesting you to determine for yourselves whether it is your wish to turn your back on this great work or to have Texas represented at this exposition—which is the greatest of any ever held in the world. I believe that you will all agree with me.

"The only constitutional objection urged against this appropriation was that it was for the purpose of inducing immigration to Texas and bringing money and men who would advance the interests of this State. If that is the primary purpose, then the constitution expressly prohibited it. Now, if this be true, I would ask in all candor what special interest in this State will be favored more than the lumbermen's interest? If men and money come, if factories are built, if railroads are constructed, if anything in the nature of industrial progress is the result of the work done at St. Louis, who is the benefactor in a greater degree than the lumbermen of Texas? For that reason I am asking you to put your shoulder to the wheel and assist in this noble work—if you agree with me that it is a noble work. Every cottage that is built means the whirr of the saw mill; every man that comes to Texas contributes to the lumber interests of the State.

"When the question came up at Dallas whether or not to lay down the commissions given to us, it was decided to refer the matter to the people and let them say whether or not they want to be represented at the exposition. We decided to see if we could raise \$100,000 before July 1 of this year. We will meet at Dallas on that date and see whether or not the people have made the contribution. * * *

"At Houston last year the lumbermen made no objection to assessing themselves 5 cents on each 1000 feet of lumber manufactured and 5 cents on each 1000 feet sold by dealers. It is now proposed to reduce that to 2½ cents. I feel assured that the manufacturers will make their contribution. * * *

"This can not be regarded as an assessment, as this body has no power to bind the dealers or manufacturers in Texas in their individual capacity. It is only an expression on the part of this body as an aggregate while you are together and can speak as a body of your wishes or inclinations in the matter. We know that there are some manufacturers in Texas who are not members of this association who may or may not contribute as here proposed. We know that there are dealers in this State who may or may not contribute. We also know that there are

members of this association who, in their discretion, may not contribute, as here proposed.

"We assume that the contribution as here proposed will possibly represent 400,000,000 feet of lumber manufactured and possibly the same amount of dealers' stock. I should say, however, that it would be nearer 600,000,000 of manufactured lumber and 400,000,000 of dealers'. It means \$25,000 from the lumbermen of Texas. It means an expenditure in advertising Texas, in showing her advantages and opportunities. I should not think the lumbermen of Texas would hesitate at \$25,000, because I know them to be liberal. It would advance your interest as much as that of any other line in the State. Representing this great branch, can you hesitate? Can we afford to hesitate at such a small amount?

"The State Bankers' Association last year assessed themselves 1-10 of 1 per cent of their capitalization. That means a fund of \$30,000. About \$5000 has been paid in. Every bank so far requested has paid.

"It was not the desire of the commissioners to draw money from the pockets of the people except where it was needed. So the actual condition of the World's Fair Commission to-day is this: The banks have assessed themselves. The railroads have assessed themselves. The commissioners have assessed themselves. The financial status of the fund on Friday last in Dallas was a resource of \$46,000. We went before the people asking for \$54,000 or more.

"The general manager of the World's Fair Commission went out in Galveston yesterday and raised \$1870. In Orange last Saturday I met four gentlemen and explained the situation and they said put Orange down for \$1000. I tell you this for your encouragement because it will not be a difficult matter to get sufficient money together to suitably represent Texas next year, provided some such reputable body as the lumbermen of Texas does not turn its back on the proposition and absolutely refuse, as a body, to countenance this work. Do you know what would be the effect of this in the State?

"I undertake to say that every man within the sound of my voice expects to go to St. Louis during the exposition. It will be the opportunity of a life time to study the world's condition; in fact, it will be the world on a few hundred acres of ground. It is a duty you owe to yourselves to visit the exposition. How will you feel when you go upon the grounds and meet your friends from other States or become acquainted with strangers who ask you from which State you hail. And you reply that you come from Texas. Where is your building? they will ask. 'We haven't any; we didn't want any; our people refused to provide the means for securing one.' You wouldn't say that; you wouldn't disgrace your people by such a remark.

"I appeal to you as lumbermen. I know that you lumbermen are generous. This \$25,000 is a tiny amount; one-fifth of it will fall upon the Kirby Lumber Company. I want you to get up and say you believe

in Texas, in her progress, in her dignity, in her greatness and grandeur, and that you will help her to take her proper place among the other commonwealths of these United States and the nations of the earth. I do hope that you will do so."

On motion the report was adopted unanimously. The announcement was greeted with hearty applause.

While the convention was still in progress Frank Bonner circulated a list for signatures for the Texas World's Fair fund and secured promises aggregating \$25,000, of which amount the Kirby Lumber Co. was down for nearly \$5000. Later Mr. Kirby telegraphed Manager Wortham at Dallas that the total contribution of the lumbermen would not fall short of \$30,000:¹

¹The prospects now (August, 1903) are that Texas will be properly represented at the great exposition.

LUMBER INDUSTRY OF TEXAS.

Since the first saw mill was erected in the long leaf belt of Texas in 1836 there has been a wonderful development in the lumber business.

The little mill built just north of Orange with a capacity of about 5000 feet, erected during the war for independence, suffered inconveniences and mishaps that were the natural outcome of the conditions that then prevailed, but it marked the beginning of the history of an industry in Texas that has been finely filled in by the achievements of the lumbermen of later days, and that forms an important part of the wonderful record of industrial development in the State.

During the past year the manufacturers of lumber, foreseeing a diminished local demand, reached out and absorbed new territory. As a result they turned out more lumber than ever before. The shipments were slightly less than 1901.

In 1901 the Texas mills shipped 968,000,000 feet; in 1902 they shipped 937,000,000. The stock on hand, however, on January 1st, 1903, is estimated at 238,000,000 feet, being an increase of nearly 60,000,000 feet over that of the preceding year, and the cut being 34,000,000 feet in excess of the shipments in 1902. The falling off in volume has been on account of a lesser demand for export, while the local demand, and by local is meant the demand in the United States, has considerably increased, and this increase has been in the face of a very radical decrease in Texas, showing the considerable development in territory in the east and central west.

George K. Smith, secretary of the Southern Manufacturers' Association, in his clearing house statement, shows a local increase in 1902 of 28 per cent, but an export decrease of nearly 40 per cent. This average was taken from thirty-eight mills. The only satisfactory explanation for the decrease in export is that there has been an extraordinary demand for railroad material. A few years ago the railroads required all ties and timber to be strictly of heart lumber. During the past few years both the United States government and the experts of the larger railroad corporations have been conducting a series of experiments, and the result has been the erection of large creosoting plants, and these plants absorb everything that comes from the log, sap as well as heart, as, after being subjected to the creosoting process the sap seems to have life far in excess of heart when the latter is not so treated, and the result of this has been that the mills have sought more largely than ever before this class of business. It is not necessary to dry it, or to put it in stack; but, as it comes from the saw, it goes to the car, is transported to the nearest creosoting plant, and in thirty to sixty days the manufacturer has his money.

The relative importance of the lumber industry to that of agriculture, live stock, and mining in our State is shown by the following amount of tonnage that was handled by the railroads of Texas during the year 1902. Of lumber there was handled 6,413,474 tons; coal, 3,589,225 tons; grain, 2,805,237 tons; cotton, cotton seed and its products, 2,482,200; live stock, 1,722,891, showing that 24 per cent or nearly one-fourth of the entire tonnage of all of the railroads of Texas was lumber, with coal next with 13 per cent; grain, 10 percent; cotton and its products, 9 per cent, and live stock, 6 per cent.

There was of merchantable pine in Texas about 68,000 square miles, and while to the superficial observer it seems as though the rapid depletion of forests will soon destroy our timber interests, we believe that the lessons taught to the lumbermen of the South by the experience of the white pine interests have put us in such a position that our forests will be practically everlasting.

Bodies of any considerable size of virgin timber are now very scarce, but there are many small tracts which will be utilized and many thousands of acres of virgin timber yet uncut. This, however, fortunately, is largely in the hands of a few concerns—fortunately, for the reason that the larger investor looks not only to the profits he may reap from them today, but to the future of his timber interests; and, while small holders will cut every tree even down to as close as eight inches in diameter, the larger holders will cut nothing less than twelve or fourteen inches through. As an average of the long and short leaf pine of Texas, perhaps 8000 feet per acre would have been a fair estimate of the virgin pine, and today there are lands in the possession of the large companies that were cut from fifteen to twenty-five years ago that are estimated will now cut from five to six thousand feet, demonstrating the fact that

the lumber situation of our country is now in the hands of the yellow pine people of the South, and the spruce, sugar pine, and redwood people of the extreme western coast.¹

¹This article is from the pen of Hon. Carl F. Drake, President of the Drake Lumber Co., of Austin, Texas, and secretary-treasurer of the Lumbermen's Association of Texas. The "Year Book" is indebted to him for much valuable assistance, for which it is a pleasure to here make grateful acknowledgments. No public movement has been pushed to success in Austin in recent years, and few of large importance in the State, without his being called upon to lend the weight of his name, the strength of his counsel, and the propulsive force of his indomitable and irresistible energy, a demand that he has in each instance complied with.

For a full history of the lumber business in Texas (facts furnished by Mr. Drake), see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

TEXAS CATTLERAISERS' ASSOCIATION.

The Texas Cattleraisers' Association was in session at Fort Worth, March 11 and 12, 1902, transacted the business brought forward for consideration, re-elected the officers who had served during the preceding year, and selected El Paso as the place for the annual meeting in March, 1903. The sessions were held in Greenwall's opera house.

The following officers were elected: Murdo McKenzie, of Trinidad, Colo., president; W. W. Turney, of El Paso, Texas, vice-president; John T. Lytle, of Lytle, Texas, second vice-president; J. C. Loving, of Fort Worth, secretary; S. B. Burnett, of Fort Worth, treasurer, and S. B. Burnett of Fort Worth, D. B. Gardner of Fort Worth, Dr. W. S. Frazier of Vinita, I. T.; Rich. Walsh of Paloduro, Texas; A. B. Boyce of Channing, Texas; C. H. Willingham of New Mexico, R. H. Harris of San Angelo, Texas, and Joe Jackson of Alpine, Texas, members of the executive committee.

The annual meeting held at El Paso March 10, 11, and 12, 1903, drew a still larger and equally representative attendance. The local committee expended \$5000 to contribute to the comfort and pleasure of the visitors. Cash premiums aggregating \$3000 were distributed as prizes to winners in the cattle exhibit and various contests. Two of the prizes in the cattle exhibit were elegantly engraved solid silver cups (of the loving cup order), each valued at \$100, offered by W. W. Turney and H. N. Myles. The meetings were held in the opera house. It was said that the association had 1323 members.

The following officers were elected by acclamation at the session held March 11: W. W. Turney, of El Paso, president; Ike T. Pryor, of San Antonio, first vice-president; Richard Walsh, of Paloduro, second vice-president; John T. Lytle, of San Antonio, secretary.

A series of resolutions favoring the interests of the association were adopted.

Ed. Reid, of Denver, on motion of Murdo McKenzie, was unanimously elected a life member of the association.

C. F. Martin, secretary of the National Livestock Association, addressed the convention and asked for contributions to assist in legislative work of the National Livestock Association. Hon. Jerry Simpson, now of New Mexico, but one time United States Congressman from Kansas, and of "sockless" fame, made a brief talk favoring it, and the money was raised.

At the closing session of the association held on the 12th, Fort Worth was selected as the place for the next annual convention (no other city was placed in nomination), a committee was appointed to raise funds for the erection of a monument over the grave of the late Col. J. C. Loving, and the following executive committee elected: W. W. Turney, El Paso; Ike T. Pryor, San Antonio; Richard Walsh, Paloduro; A. G. Boyce, Channing; S. B. Burnett, Fort Worth; M. C. Campbell, Wichita Falls; R. D. Gage, Pecos; J. D. Jackson, Alpine; Ed. Crowley, Midland; R. H. Harris, San Angelo; Dr. E. B. Frazier, Vinita, I. T.; Tom Coleman, San Antonio; R. J. Kleberg, Corpus Christi; D. B. Gardner, Fort Worth, and John T. Lytle, Fort Worth.

LIVESTOCK SANITARY COMMISSION.

Livestock Sanitary Commissioners: Robert J. Kleberg, of Nueces county; W. J. Moore, of Bexar county, and M. M. Hankins, of Hardeman county, reappointed by Gov. Lanham and confirmed by the State Senate January 23, 1903.

Total amount appropriated by the Twenty-eighth Legislature for the Commission for the two years ending August 31, 1905, \$26,000, of which \$6000 may be expended in conducting experiments "with any and all diseases which may affect the livestock of the State."

J. C. LOVING.

The death of Col. J. C. Loving, secretary of the Texas Cattleraisers' Association, at Fort Worth, Texas, November 24, 1902, marked the close of an honorable career eminently useful to Texas in the development of the great cattle industry which constitutes so large a part of the State's material wealth.

He was born in Hopkins county, Kentucky, June 6, 1836, son of Oliver and Susan D. Loving, and came to Texas in 1845 with his parents, who-

resided one year in Lamar county, and subsequently near the site of the present town of Plano, in Collin county, until 1855, when the family moved to what was then Pleasant Valley (now Loving Valley), Palo Pinto county. Here J. C. Loving was married to Miss Mary E. Willett January 15, 1857. His widow and two children (Mrs. Geo. Spiller and Oliver Loving, Esq.), survive him.

Mr. Loving was engaged in the mercantile business until the beginning of the war between the States and in the cattle business with his father in Palo Pinto county until the close of the war. During the war period he commanded, as first lieutenant, a company of fifty-seven men detailed for frontier protection.

In 1866 he embarked in the mercantile business at Weatherford. About the same time his father and Chas. Goodnight formed a copartnership under which they established a ranch in Colorado. In 1867 his father, while driving a large herd of cattle to this ranch, was wounded by Indians, and died on reaching Fort Sumner, New Mexico.

J. C. Loving thereupon, in 1868, closed his mercantile business at Weatherford and, under an arrangement with Goodnight collected and drove a large herd of cattle to Colorado, where he settled all affairs connected with the old partnership.

Colonel Loving remained in the cattle business on his own account in West Texas until 1876, when, owing to great losses he had sustained from Indian raids and other causes, he surrendered everything he possessed (including his homestead), for the benefit of his creditors.

In February, 1877, he assisted in perfecting, and was elected secretary of the Cattleraisers' Association of Northwest Texas (since merged into the Texas Cattleraisers' Association) and served as secretary of the cattlemen's organization continuously thereafter, by re-election, until the time of his death. He also served for several years as treasurer and general manager.

For a number of years, until 1892, he was manager of the Loving Cattle Co., of which his son subsequently became manager.

His remains were accompanied by a distinguished party, including his wife, children, grandchildren and kindred and members of the executive committee of the Texas Cattleraisers' Association, on a special train to Weatherford, where they were interred. The executive committee passed resolutions of respect to the memory of the departed that constitute an eloquent tribute to his worth.

The name of Loving is linked with Texas by services rendered in the settlement and development of the State by the family, and by reason of the fact that Loving county is named for Oliver Loving, father of Col. J. C. Loving.

**GEORGE B. LOVING,
FORT WORTH.**

The death of this well known, prominent and useful Texan occurred at Fort Worth, February 19, 1903, from locomotor ataxia. He had been in bad health for some time, but thought himself sufficiently recovered to go down town for the purpose of appearing as a witness in a case being tried in the district court. He was attacked with a fainting spell on the street and was assisted into a drug store, where he expired in a few minutes.

"The news of his demise," said the Fort Worth correspondent of the Dallas News, "spread rapidly over the city and sorrow was expressed on every hand. * * * Fort Worth had lost one of its best citizens and one of its most liberal hearted and generous residents.

"He was born on June 10, 1850, in Collin county, and lived for a time in Parker, Jack, El Paso, and Grayson counties. As a young man he was a cowboy and herder. At a time when many separate herds of cattle were feeding on the free grass of Texas, each owner, to distinguish his cattle, adopted a brand, and sometimes several owners used the same brand. Mr. Loving saw the necessity for a cattle brand register, and in this city started a small monthly paper, through which cattle owners could publish their brands. The paper succeeded and on this start he established the Texas Livestock Journal. He was also the State representative of the Hunter Live Stock Commission Company, his main office being for awhile at Denison.

"In the early '80s he organized the Texas Investment Company, which had a branch office in Denison. This company was of much benefit to Fort Worth. It resulted in the organization of the Fort Worth Publishing Company, with a capital stock of \$100,000, to publish the Gazette, the principal owners of which were Mr. Loving, Capt. B. B. Paddock, and the late Col. W. L. Malone. The Gazette under his administration was regarded as one of the strongest newspapers in the State. The property was sold in 1883 to the Democrat Publishing Co., the principal owners of which were Major K. M. Van Zandt, Morgan Jones, W. T. Fakes, Col. W. L. Malone, Chas. Scheuber, Walter A. Huffman, and Capt. B. B. Paddock. Mr. Loving also at one time owned the Evening Mail, and for some years afterward was the proprietor and publisher of the Texas Stock and Farm Journal. Of late he conducted the cattle department in the Farm and Ranch, of Dallas.

"In 1882 Mr. Loving obtained options on a number of fine ranches in the State and went to London to sell them to an English syndicate. He was successful finally in getting the capitalists organized and almost had the deal consummated when some of his options expired and he could not get them renewed. The syndicate had agreed to pay \$2,000,-000 in cash for the ranches Mr. Loving had agreed to sell. Had the

deal gone through he would probably have cleared \$200,000, instead he lost about \$35,000.

"Since the '80s he devoted his time principally to the business of a cattle and ranch broker and in the publication of his livestock paper and in corresponding for newspapers on livestock matters. He sold his livestock paper recently to Selden R. Williams of this city.

"In 1898 he made an effort to promote what was termed a \$25,000,000 cattle trust, in which the Farwells, owners of the Capitol Syndicate property, and other large cattle owners, were interested. He spent some months in the East in an attempt to close the deal, but never brought the matter to a successful termination. Newspapers throughout the country had a great deal to say about the movement. He made and lost three fortunes.

"He leaves a wife and two sons, Joseph L. Loving and Dr. Roy Loving, the latter house surgeon at St. Joseph's Infirmary in this city. He was a Mason and a member of the I. O. O. F., Knights of Pythias and other fraternal organizations. He left a considerable amount of life insurance."

The funeral took place from the family residence at No. 310 Taylor Street at 3 p. m., February 20th. The services at the grave were conducted by the Masons.

OIL FIELDS.

Mr. C. T. Bunch, assistant secretary of the Beaumont Chamber of Commerce, under date of February 19, 1903, furnished (in response to questions propounded) the following information for the "Year Book for Texas":

"1. About 125 wells are now in operation; about 500 wells in the field.

"2. No gushers in the Spindle Top Field, a few wells are said to be flowing without artificial aid.

"3. Estimated to be about 300 miles of pipe line, including the four to Port Arthur, two to Sabine Pass and one from Sour Lake and the pipes to loading racks.

"4. Impossible to get number of tank steamers carrying oil. There are quite a number engaged in the transportation, though.

"5. About 1600 tank cars in service.

"6. Impossible to give capitalization and value of refineries, but I give you the names, as follows:

"(a) J. N. Guffey Petroleum Co., located at Port Arthur, Texas.

"(b) Geo. A. Burt Refinery, Beaumont; capitalization, \$2,000,000 and it is said \$5,000,000 will be spent before operation is begun.

"(c) Beaumont Refinery, located at Spindle Top, Beaumont.

- "(d) Union Oil and Refining Company; capitalization, \$250,000.
- "(e) The Texas Company, located at Port Arthur, Texas.
- "(f) Great Southern Refinery, Beaumont, Texas.
- "(g) National Oil and Refining Co., Beaumont; capitalization, \$24,000.
- "(h) Central Asphalt and Refining Company, Port Neches; capitalization, \$250,000.

"7. The following is a very good analysis of Beaumont crude oil:

"Naphtha	3 per cent.
"Kerosene	16 per cent.
"Intermediate and Neutral.....	21 per cent.
"Machine oil	17 per cent.
"Heavy engine oil	18 per cent.
"Heavy cylinder oil	15 per cent.
"Asphalt	9 per cent.
"Loss	1 per cent.

"8. Crude oil is sold for fuel over Texas, Louisiana, Mississippi, and a part of Alabama. The Standard is purchasing large quantities for shipment to the eastern markets. Refined oil is being shipped to Europe.

"9. Total output about 30,000,000 barrels to date; during 1902 estimated at 20,956,482 barrels.

"10. 9,470,000 barrels in storage January 1, 1903.

"11. Impossible to give capitalization of only the companies owning field, as no statistics have been gathered covering this point. The authorized capitalization of all companies is said to be \$231,963,998. I do not know the source of this information—possibly from the Secretary of State.

"12. No average of dividends; some companies have paid one, others two, three, or more. The dividends have ranged from 1 per cent a month up to 2 per cent, and some have paid quarterly and some companies have paid 5 per cent per month.

"13. No one has estimated the cash value of the field as yet.

"14. No new improvements being made; a refinery is talked of for Sour Lake, also a pipe line from Sour Lake to China (Southern Pacific railroad). Orange says the Forward Reduction Company will build a refinery there. On January 1, 1903, 16 wells were being drilled and 18 rigs being built preparatory to drilling other wells; hardly a day passes, but what mention is made of a well being commenced on the Hill.

"The Sour Lake field is attracting considerable attention just now, and a number of wells are being drilled there; besides there are already a number producing oil now. Saratoga is also a promising field—several wells are good producers there.

"The above information is as near authentic as it is possible to gather same. There is no uniform system of gathering this data, and therefore hard to vouch for the accuracy of all the figures."

The "Monthly Summary of Commerce and Finance" for May, 1903, published by the U. S. Bureau of Statistics, contains the following:

"Corrected statistics of petroleum shipments by water from Texas producing territory for the month of May, 1903, included 34 cargoes, 24 of which sailed from Port Arthur, carrying 17,637,774 gallons, and 12 from Sabine Pass, carrying 5,215,140 gallons, making a total of 22,852,914 gallons. These shipments were distributed among seven domestic ports (New York, Philadelphia, New Orleans, Morgan City, La., Marcus Hook, Pa., and Belle Isle, La.) and one foreign port (Havana, Cuba); 336,000 gallons being shipped to the latter.

"Shipments since May 1, 1902, to May 1, 1903, amounted to 247,216,491 gallons in 426 cargoes, 256 of which were shipped from Port Arthur, and 170 from Sabine Pass.

"Shipments of petroleum by rail from Beaumont field for April were 3879 cars, containing 659,431 barrels. Since shipments began in 1901 to the end of April, 1903, a total of 97,228 cars have been shipped, containing 16,340,431 barrels. This includes rail shipments to Texas seaboard points for transshipment to vessel; as well as shipments to the interior by all-rail routes."

The record for the Corsicana oil field to May 13, 1903, is as follows: Wells completed, 1122; producing, 574; gas, 22; dry, 254; abandoned, 272.¹

Since the letter of Mr. Bunch was written, wells have been brought in at Sour Lake that place that field, in the estimation of many, ahead of the famous Beaumont field, and a concerted movement planned for the development of the Nacogdoches field. Every well sunk at Sour Lake has proved a producer, hundreds of others are being drilled, a city is rapidly springing into existence, and a "boom" is on that has had few parallels in the United States, and that has, like that following the discovery of gold in California and oil and great coal deposits in Pennsylvania, a solid backing.

AGRICULTURAL, STOCKRAISING, FRUIT AND VEGETABLE PRODUCTION, BEE CULTURE, IRRIGATION AND OTHER STATISTICS.

In bulletin No. 229, Hon. William R. Merriam, director of the twelfth United States census, says:

"A 'farm,' as defined by the twelfth census, includes all the land, under one management, used for raising crops and pasturing live stock, with the wood lots, swamps, meadows, etc., connected therewith. It includes also the house in which the farmer resides, and all other buildings used by him in connection with his farming operations.

¹ For a full history of the Texas oil fields, dates of coming in and capacity of the principal wells, etc., see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

"The farms of Texas, June 1, 1900, numbered 352,190, and were valued at \$691,773,613. Of this amount, \$100,222,811, or 14.5 per cent, represents the value of buildings, and \$591,550,802, or 85.5 per cent, the value of the land and improvements other than buildings. On the same date the value of farm implements and machinery was \$30,125,705, and of live stock, \$240,576,955. These values, added to that of farms, give \$962,476,273, the 'total value of farm property.'

"The products derived from domestic animals, poultry and bees, including animals sold and animals slaughtered on farms, are referred to in this bulletin as 'animal products.' The total value of all such products, together with the value of all crops, is termed 'total value of farm products.' This value for 1899 was \$239,823,344, of which amount \$72,852,533, or 30.4 per cent, represents the value of animal products, and \$166,970,711, or 69.6 per cent, the value of crops, including forest products cut or produced on farms. The 'total value of farm products' for 1899 exceeds that of 1889 by \$128,123,814, or 114.7 per cent, but a part of this gain is doubtless due to a more detailed enumeration in 1900 than in 1890.

"The 'gross farm income' is obtained by deducting the value of the products fed to live stock on the farms of the producers, from the total value of farm products. In 1899 the reported value of products fed was \$30,476,810, leaving \$209,346,434 as the gross farm income for that year. The ratio which this amount bears to the 'total value of farm property' is referred to in this bulletin as the 'percentage of gross income upon investment.' For Texas in 1899 it was 21.8 per cent.

"As no reports for expenditures for taxes, interest, insurance, feed for stock, and similar items have been obtained by any census, no statement of net farm income can be given."

He thus describes the State from an agricultural viewpoint: "Texas has a total land area of 262,290 square miles, or 167,865,600 acres, of which 125,807,017 acres, or 74.9 per cent, are included in farms.

"The surface of Texas is greatly diversified. From the low, sandy Gulf coast rises a terrace of rich, rolling land, called the 'prairie belt.' Then comes a series of gradual elevations reaching to the plateau and mountains of the west and north, where some of the peaks attain an elevation of 5000 feet.

"There are a great many varieties of soil, nearly all excellently adapted to grazing. The prairies have in general a sandy loam, the interior, a heavier brown and black loam, while in the northern part of the State are great areas of red lands. In the waste portions are cacti and thorny mesquite chaparrals.

"The Gulf of Mexico receives the drainage from the southern and central parts, while the Red and Arkansas rivers convey the waters of the northern part of the State to the Mississippi."

And then, proceeding to details, furnishes the following, among other facts:

FARMS AND FARM ACREAGE: 1850 TO 1900.

YEAR	Number of Farms	NUMBER OF ACRES IN FARMS				Per cent of farm land im- proved
		Total	Improved	Unim- proved	Average	
1900.....	352,190	125,807,017	19,576,076	106,230,941	357.2	15.6
1890.....	228,126	51,406,937	20,746,215	30,660,722	225.3	40.4
1880.....	174,184	36,292,219	12,650,314	23,641,905	208.4	34.9
1870.....	61,125	18,396,523	2,964,836	15,431,687	301.0	16.1
1860.....	42,891	25,344,028	2,650,781	22,693,247	590.9	10.5
1850.....	12,198	11,496,339	643,976	10,852,363	942.5	5.6

"The number of farms reported in 1900 was nearly thirty times as great as the number in 1850, and 54.4 per cent greater than in 1890. The total acreage of farm land has increased rapidly, being twice as great in 1900 as in 1890. The improved acreage shows a decrease of 5.6 per cent for the last decade, owing to the use of a more strict definition of the term 'improved land' in 1900 than in 1890. The decrease in the percentage of farm land improved is due also to the acquisition of vast areas of new unimproved land for grazing purposes, resulting in a marked increase in the average size of farms. The increased acreage in crops indicates that there has been no actual loss of improved area.

VALUES OF SPECIFIED CLASSES OF FARM PROPERTY, AND OF FARM PRODUCTS: 1850 TO 1900.

YEAR	Total value of farm property	Land, im- provements, and build- ings	Imple- ments and machinery	Live stock	Farm prod- ucts ¹
1900.....	\$962,476,273	\$691,773,613	\$30,125,705	\$240,576,955	\$239,823,244
1890.....	516,977,333	399,971,289	13,746,541	*103,259,503	111,899,430
1880.....	239,828,364	170,468,886	9,061,491	*60,307,987	65,204,329
1870 ²	100,971,937	60,149,950	3,396,793	37,425,194	*49,185,170
1860.....	137,186,219	88,101,320	6,259,452	42,825,447	.....
1850.....	29,114,639	16,550,008	2,151,704	10,412,927	.....

¹ For year preceding that designated.

² Values for 1870 were reported in depreciated currency. To reduce to specific basis of other years they must be diminished one-fifth.

* Exclusive of live stock on ranges.

Includes betterments and additions to live stock.

"Every census year except the one following the civil war shows a great growth of agriculture. The gain in the last decade in the total value of farm property was \$445,498,940, or 86.2 per cent. The increase in the value of land, improvements, and buildings was \$291,802,324, or 73.0 per cent; in that of live stock it was \$137,317,452, or 133.0 per cent, and in that of implements and machinery, \$16,379,164, or 119.2

per cent. The value of farm products in 1899 was more than twice as great as the value reported for 1889. A portion of this increase and of that shown for implements and machinery is doubtless the result of a more detailed enumeration in 1900 than in previous census years.

**NUMBER AND ACREAGE OF FARMS, AND VALUE OF FARM PROPERTY,
JUNE 1, 1900, CLASSIFIED BY RACE OF FARMER AND
BY TENURE, WITH PERCENTAGES.**

RACE OF FARMER, AND TENURE	Number of farms	NUMBER OF ACRES IN FARMS			VALUE OF FARM PROPERTY	
		Average	Total	Per cent	Total	Per cent
The State	352,190	357.2	125,807,917	100.0	\$962,476,273	100.0
White farmers	286,654	425.5	121,965,376	96.9	906,237,063	94.2
Negro farmers	65,472	58.6	3,835,979	3.1	56,180,207	5.8
Indian farmers	51	95.2	4,854	(¹)	37,201	(¹)
Chinese farmers	13	82.2	808	(¹)	21,802	(¹)
Owners	151,964	253.5	38,520,508	30.6	420,269,976	43.7
Part owners	21,005	1,244.6	26,143,033	20.8	129,742,464	13.5
Owners and tenants	1,880	327.7	550,519	0.4	5,159,859	0.5
Managers	2,560	16,402.9	41,991,308	33.4	149,302,594	15.5
Cash tenants	25,810	291.2	7,516,154	6.0	54,792,498	5.7
Share tenants	149,181	74.3	11,085,494	8.8	203,208,882	21.1

¹ Less than one-tenth of 1 per cent.

**DOMESTIC ANIMALS, FOWLS, AND BEES ON FARMS AND RANGES, JUNE
1, 1900, WITH TOTAL AND AVERAGE VALUES, AND NUMBER
OF DOMESTIC ANIMALS NOT ON FARMS OR RANGES.**

LIVE STOCK	Age in years	ON FARMS AND RANGES			NOT ON FARMS
		Number	Value	Aver- age value	
Calves.....	Under 1	2,148,261	\$19,528,804	\$9.08	43,747
Steers.....	1 and under 2.....	957,163	14,007,190	14.63	8,439
Steers.....	2 and under 3.....	593,603	12,106,522	20.39	2,719
Steers.....	3 and over	341,286	9,272,747	27.17	4,690
Bulls.....	1 and over	202,145	8,183,295	40.48	1,196
Heifers.....	1 and under 2.....	954,835	13,473,384	14.11	9,003
Cows kept for milk.....	2 and over	861,023	19,995,327	23.22	63,876
Cows and heifers not kept for milk.....	2 and over	3,369,880	66,661,626	19.78	33,745
Colts.....	Under 1	95,429	1,099,900	11.53	2,417
Horses.....	1 and under 2.....	96,825	1,623,489	16.77	1,797
Horses.....	2 and over	1,077,178	31,773,694	29.50	120,217
Mule colts.....	Under 1	32,544	649,984	19.97	413
Mules.....	1 and under 2.....	41,080	1,284,649	31.27	643
Mules.....	2 and over	433,657	23,186,986	53.47	18,814
Asses and burros.....	All ages	16,409	868,747	52.94	2,446
Lambs.....	Under 1	449,358	620,873	1.38	2,903
Sheep (ewes).....	1 and over	924,174	2,037,517	2.20	6,987

DOMESTIC ANIMALS, FOWLS, AND BEES ON FARMS AND RANGES, JUNE 1, 1900, WITH TOTAL AND AVERAGE VALUES, AND NUMBER OF DOMESTIC ANIMALS NOT ON FARMS OR RANGES—Continued.

LIVE STOCK	Age in years	ON FARMS AND RANGES			NOT ON FARMS Number
		Number	Value	Average value	
Sheep (rams and wethers)	1 and over	515,766	1,323,727	2.57	506
Swine	All ages	2,665,614	7,805,687	2.85	113,287
Goats	All ages	627,333	923,777	1.47	13,377
Fowls. ¹					
Chickens ² .		13,562,302			
Turkeys.		648,671	3,595,243		
Geese.		415,709			
Ducks.		234,664			
Bees (swarms of)		392,644	749,483	1.91	
Unclassified			4,295		
Value of all live stock			240,576,955		

¹ The number reported is of fowls over 3 months old. The value is of all, old and young.

² Including Guinea fowls.

“* * * No reports were secured of the value of live stock not on farms and ranges, but it is probable that such animals have higher average values than those on farms. Allowing the same averages, the value of domestic animals not on farms was \$8,133,526, and the total value of domestic animals in the State, exclusive of poultry and bees not on farms, was approximately \$248,710,481.

**NUMBER OF SPECIFIED DOMESTIC ANIMALS ON FARMS AND RANGES:
1850 TO 1900.**

YEAR	Dairy Cows	Other neat cattle	Horses	Mules and asses	Sheep ¹	Swine
1900.....	861,023	8,567,173	1,269,432	523,690	1,439,940	2,665,614
1890 ²	1,003,439	5,198,113	1,026,002	227,432	3,454,858	2,252,476
1880 ²	806,176	3,478,429	805,806	132,447	2,411,633	1,960,871
1870.....	428,048	3,065,995	424,504	61,322	714,351	1,202,445
1860.....	601,540	2,934,228	325,698	63,334	753,363	1,371,532
1850.....	217,811	112,303	76,760	12,463	100,530	692,022

¹ Lambs not included.

² Exclusive of live stock on ranges.

**QUANTITIES AND VALUES OF SPECIFIED ANIMAL PRODUCTS, AND
VALUES OF POULTRY RAISED, ANIMALS SOLD, AND ANI-
MALS SLAUGHTERED ON FARMS, IN 1899.**

PRODUCTS	Unit of measure	Quantity	Value
Wool	Pounds.....	9,638,002	\$1,428,122
Mohair and goat hair.....	Pounds.....	274,810	77,478
Milk	Gallons.....	251,342,698	
Butter	Pounds.....	47,991,492	
Cheese	Pounds.....	136,133	
Eggs	Dozens.....	58,040,810	4,672,187
Poultry			5,311,362
Honey	Pounds.....	4,780,204	
Wax	Pounds.....	159,690	
Animals sold			34,357,265
Animals slaughtered			11,032,614
Total			\$72,852,533

¹ Includes all milk produced, whether sold, consumed, or made into butter or cheese.

² Includes the value of milk sold or consumed, and of butter and cheese made.

**ACREAGE, QUANTITIES, AND VALUES OF THE PRINCIPAL FARM CROPS
IN 1899.¹**

CROPS	Acres	Unit of measure	Quantity	Value
Corn	5,017,890	Bushels.....	109,970,350	\$34,424,871
Wheat	1,027,947	Bushels.....	12,266,320	7,051,477
Oats	847,225	Bushels.....	24,190,668	5,240,791
Barley	4,380	Bushels.....	80,366	33,354
Rye	3,984	Bushels.....	42,770	27,362
Buckwheat	41	Bushels.....	333	310
Broom corn	3,743	Pounds.....	1,638,150	60,313
Rice	8,711	Pounds.....	7,186,863	224,387
Kafir corn	22,813	Bushels.....	482,096	130,011
Flaxseed	75	Bushels.....	640	561
Clover seed		Bushels.....	94	380
Grass seed		Bushels.....	20,398	13,594
Hay and forage	938,024	Tons.....	1,494,305	7,294,450
Cottonseed		Tons.....	1,262,651	12,396,591
Cotton	6,960,367	Bales.....	2,506,212	84,332,713
Tobacco	1,443	Pounds.....	550,120	104,694
Peanuts	10,734	Bushels.....	184,860	178,542
Dry beans	2,878	Bushels.....	28,129	40,652
Dry peas	33,974	Bushels.....	333,462	349,306
Potatoes	21,810	Bushels.....	1,342,318	725,145
Sweet potatoes	43,561	Bushels.....	3,299,135	1,689,015
Onions	1,639	Bushels.....	187,720	150,875
Miscellaneous vegetables	110,260			5,109,963
Sugar cane	17,824	Tons.....	170,485	
(a) Cane sold		Tons.....	54,758	219,905
(b) Sugar made		Pounds.....	2,789,250	134,074

¹ Exclusive of 29,761 tons, valued at \$292,263, sold in seed cotton and included with the cotton.

**ACREAGE, QUANTITIES, AND VALUES OF THE PRINCIPAL FARM CROPS
IN 1899.¹—Continued.**

CROPS	Acres	Unit of measure	Quantity	Value
(e) Molasses made		Gallons	98,950	6,719
(d) Sirup made		Gallons	888,637	365,819
Sorghum cane	26,803	Tons	*88,933	263,518
Sorghum sirup		Gallons	877,232	291,272
Sugar beets	135	Tons	523	2,451
Small fruits	3,904			304,680
Grapes	*2,213	Centals	40,862	*126,355
Orchard fruits	*121,797			*1,345,423
Tropical fruits				12,990
Nuts				78,971
Forest products				3,776,589
Flowers and plants	167			120,249
Seeds	17			2,901
Nursery products	2,093			314,511
Miscellaneous	324			25,138
Total	15,236,576			\$166,970,711

² Sold as cane.³ Estimated from number of vines or trees.⁴ Including value of raisins, wine, etc.⁵ Including value of cider, vinegar, etc.
ACREAGE AND PRODUCTION OF COTTON: 1849 TO 1899.

YEAR	ACREAGE		PRODUCTION		
	Total	Per cent of increase	Commercial bales	Pounds	Per cent of increase
1899.....	6,960,367	76.9	2,506,212	1,292,404,967	84.2
1889.....	3,934,525	80.6	1,471,242	701,782,434	92.4
1879.....	2,178,435		805,284	364,793,652	139.7
1869.....				152,172,552	*20.7
1859.....				192,001,036	726.6
1849..... ⁶				23,228,800	

¹ Decrease.

*** * * The counties devoting the greatest area to the production of cotton in 1899 were Ellis, McLennan, Fannin, Hill, Navarro, Williamson, Falls, Milam, and Bell, ranking in the order named, and reporting 20.5 per cent of the total acreage. These counties are located in a belt extending north from Austin to the Red River. Little or no cotton is raised in the counties along the western border of the State, or those in the extreme north or south.

ACREAGE AND PRODUCTION OF CEREALS: 1849 TO 1899.**Part 1.—Acreage.**

YEAR ¹	Barley	Corn	Oats	Rice	Rye	Wheat
1899.....	4,380	5,017,890	847,225	8,711	3,984	1,027,947
1889.....	2,782	3,079,907	528,924	178	5,255	352,477
1879.....	5,527	2,468,587	238,010	335	3,328	373,570

¹ No statistics of acreage were secured prior to 1879.

ACREAGE AND PRODUCTION OF CEREALS: 1849 TO 1899—Continued.**Part 2.—Bushels Produced.¹**

YEAR	Barley	Corn	Oats	Rice	Rye	Wheat
1899.....	80,366	109,970,350	24,190,668	7,186,863	42,770	12,266,320
1889.....	48,152	69,112,150	12,581,360	108,423	62,370	4,283,344
1879.....	72,786	29,065,172	4,893,359	62,152	25,399	2,567,737
1869.....	44,351	20,554,538	762,663	63,844	28,521	415,112
1859.....	67,582	16,500,702	985,889	26,031	111,860	1,478,345
1849.....	4,776	6,028,876	199,017	88,203	3,108	41,729

¹ Rice reported in pounds.

“* * * Corn, wheat, oats, rye, Kafir corn, and barley were reported from nearly all parts of the State. Buckwheat was grown in 9 counties only, and rice in 17 counties, in the southeastern part of the State. Of these 17 counties, 2, Jefferson and Orange, furnished 94.2 per cent of the entire acreage in rice.

“In 1900, 95,371 farmers, or 27.1 per cent of the total number, reported hay or forage crops. Excluding cornstalks and corn strippings, they obtained an average yield of 1.6 tons per acre. The total acreage in hay and forage for 1899 was 938,024, or 148.5 per cent greater than ten years before.

“In 1899 the acreages and yields of the various kinds of hay and forage were as follows: Wild, salt, and prairie grasses, 286,079 acres and 280,145 tons; millet and Hungarian grasses, 152,750 acres and 234,680 tons; alfalfa or lucerne, 18,999 acres and 33,394 tons; clover, 1940 acres and 3344 tons; other tame and cultivated grasses, 63,605 acres and 88,645 tons; grains cut green for hay, 52,051 acres and 87,273 tons; crops grown for forage, 362,600 acres and 738,971 tons; cornstalks and corn strippings, 79,150 acres and 27,853 tons.

ORCHARD TREES AND FRUITS: 1890 AND 1900.

FRUITS	NUMBER OF TREES		BUSHELS OF FRUIT	
	1890	1890	1899	1899
Apples.....	1,484,846	622,801	591,985	742,993
Apricots.....	35,301	7,220	1,620	1,580
Cherries.....	36,800	14,241	2,189	3,863
Peaches.....	7,248,358	4,486,901	1,400,240	5,106,332
Pears.....	1,044,690	37,370	166,418	17,034
Plums and prunes.....	1,121,589	688,995	180,813	160,256

“* * * All these orchard fruits are grown quite generally throughout the State, but 57.6 per cent of the pear trees are reported from the counties of Brazoria, Galveston, and Harris.

“Of the 3904 acres devoted by 6496 farmers to small fruits, 1802 acres, or nearly one-half are reported by Smith, Galveston, Brazoria and Tyler counties, all of which are situated in the eastern part of the State. Blackberries and dewberries occupied 2394 acres, or 61.3 per cent of the total area, and yielded 2,701,750 quarts. The acreages and productions of other berries were as follows: Strawberries, 1361 acres and 2,344,220 quarts; raspberries and Logan berries, 103 acres and 123,640 quarts; currants, 4 acres and 5370 quarts; gooseberries, 1 acre and 760 quarts; and other small fruits, 41 acres and 33,180 quarts.

“The total value of vegetables grown in 1899, including potatoes, sweet potatoes, and onions, was \$7,674,798, of which 22.0 per cent represents the value of sweet potatoes; 9.4 per cent, that of potatoes; 2.0 per cent that of onions; and 66.6 per cent that of miscellaneous vegetables.

“Sweet potatoes were grown in 1899 by 63,209 farmers, or 17.9 per cent of the total number in the State. The area devoted to this crop in 1889 was 52,506 acres, and in 1899, 43,561 acres, a decrease of 17.0 per cent.

“In the growing of miscellaneous vegetables, 110,260 acres were used. The products of 68,849 acres were not reported in detail. Of the remaining 41,411 acres, 26,276 acres were devoted to watermelons; 5781 acres to muskmelons; 4088 acres, to cabbages; 2821 acres, to tomatoes; 952 acres, to sweet corn; 855 acres, to cucumbers, and 638 acres to other vegetables.

**ACREAGE OF SUGAR CANE AND PRODUCTION OF SUGAR AND SIRUP:
1849 TO 1899.**

YEAR ¹	Acreage in cane	SUGAR		SIRUP	
		Production in pounds	Average yield per acre in pounds	Production in gallons	Average yield per acre in gallons
1899.....	17,824	2,789,250	156.5	987,587	55.4
1889.....	16,284	5,482,030	336.6	2,159,339	132.6
1879.....	10,224	5,941,200	581.1	810,605	79.3
1869.....		2,424,000	.....	246,062	.....
1859.....		6,118,800	.....	408,358	.....
1849.....		8,821,200	.....	.....	.....

¹ No statistics of acreage were secured prior to 1879.

"The present census shows that in 1899 sugar cane was grown by 15,694 farmers on 17,824 acres, an average of 1.1 acre for each farm reporting. From this area they sold 54,758 tons of cane for \$219,905, and from the remaining product manufactured 987,587 gallons of sirup and molasses, valued at \$372,538, and 2,789,250 pounds of sugar, valued at \$134,074. This was an increase of 9.5 per cent in acreage over that reported for 1889. The total value of the sugar cane products was \$726,517, an average of \$46.29 for each farm reporting, and of \$40.76 per acre. The average value of the sugar was 4.8 cents per pound, and of the sirup and molasses, 37.7 cents per gallon.

"Sorghum Cane. Sorghum cane was grown in 1899 by 31,948 farmers on 26,803 acres, an average of 0.8 acre for each farm reporting. From this area they sold 88,933 tons of cane for \$263,518, and from the remaining product manufactured 877,232 gallons of sirup, valued at \$291,272. This was a decrease in acreage from 1889 of 6.1 per cent. The total value of sorghum cane products was \$554,790, an average of \$17.36 for each farm reporting, and of \$20.70 per acre. The average value per gallon was 33.2 cents.

"Tobacco. The present census shows that in 1899 tobacco was grown by 1746 farmers, who reported 1443 acres, and a yield of 550,120 pounds, a gain in ten years of 241.1 per cent in acreage and 213.1 per cent in production. The production of 1899 was the largest ever reported. The next largest was in 1879, when 685 acres yielded 221,283 pounds. The average yield per acre in 1899 was 381.2 pounds, compared with 415.4 pounds in 1889. The total value of the 1899 crop was \$104,694, an average of \$59.96 for each farm reporting, and of \$72.55 per acre. The average value per pound was 19 cents. The crop was grown in 98 counties, Montgomery county leading with 507 acres, or 35.1 per cent of the total.

"Floriculture. The area devoted to the cultivation of flowers and

ornamental plants in 1899 was 167 acres, and the value of the products sold therefrom was \$120,249. These flowers and plants were grown by 157 farmers and florists, of whom 66 made commercial floriculture their principal business. The capital invested in land, buildings, implements and live stock was \$306,423, of which \$116,825 represents the value of buildings. Their sales of flowers and plants amounted to \$93,259, and they obtained other products valued at \$8,910. The expenditure for labor was \$28,000, and for fertilizers, \$1575. The average income for each farm reporting (including products fed to livestock) was \$1551.

"In addition to 59 of the florists' establishments, 208 farms and market gardens made use of glass in the propagation of flowers, plants, or vegetables. They had an area under glass of 171,474 square feet, making, with the 223,106 square feet belonging to the florists' establishments, a total of 394,580 square feet.

"Nurseries. The total value of nursery products sold in 1899 was \$314,511, reported by the operators of 223 farms and nurseries. Of this number, 73 derived their principal income from the nursery business. They had 4932 acres of land valued at \$245,650, buildings worth \$83,445, implements and machinery worth \$12,209, and livestock worth \$14,454. Their total income, exclusive of products fed to livestock, was \$293,945, of which \$264,425 represents the value of nursery stock and \$29,520 that of other products. The expenditure for labor was \$42,740 and for fertilizers, \$2405. The average income for each farm reporting (including products fed to livestock) was \$4074.

"Labor and Fertilizers. The total expenditure for labor on farms in 1899, including the value of board furnished, was \$12,331,905, an average of \$35 per farm. About one-half of this amount was expended for labor on cotton farms, and nearly one-third for labor on livestock farms. The average expenditure was \$585 for nurseries, \$452 for rice farms, \$424 for florists' establishments, \$112 for tobacco farms, \$93 for livestock farms, \$89 for sugar farms, \$57 for fruit farms, \$47 for hay and grain farms, \$45 for dairy farms, \$32 for vegetable farms, and \$25 for cotton farms. 'Managers' expended, on an average, \$833; 'owners,' \$34; 'cash tenants,' \$29; and 'share tenants,' \$18. White farmers expended \$41 per farm, and colored farmers, \$9.

"Fertilizers purchased in 1899 cost \$124,716, an average of only 35 cents per farm, but an increase since 1890 of 112.6 per cent. The average expenditure was \$69 for rice farms, \$33 for nurseries, \$24 for florists' establishments, \$14 for tobacco farms, \$4 for fruit farms, \$2 for vegetable, dairy, and sugar farms, and less than \$1 for hay and grain, livestock and cotton farms.

"Irrigation Statistics. Texas, with its vast area and greatly diversified topography and climate, contains areas well adapted to the successful cultivation of a wide variety of agricultural products. As the larger

part of the State belongs to the humid region, irrigation has never been a prominent factor in agricultural development.

"The arid region may be described as belonging to the drainage basin of the Rio Grande and Pecos rivers, and includes the counties of Pecos, Reeves, El Paso, Jeff Davis, Presidio, Brewster, and Ward. The elevation of this portion of the State varies from 2000 to 6000 feet and the annual precipitation ranges from 8 to 17 inches. The soil, particularly in the valley of the Rio Grande, is of exceeding fertility when sufficiently watered and is adapted to the cultivation of almost all the agricultural products of the temperate and sub-tropical climates. In this valley irrigation is of ancient origin, and on many of the canals the methods of irrigating have undergone little change in the last two centuries. The irrigation of general crops in Texas is confined largely to the region above described.

"In 1899 the number of irrigators in arid Texas was 429, or 32.4 per cent of all; the ditches had a length of 212 miles, or 47.1 per cent of the total length, and the cost of construction was \$407,635, or 39.7 per cent of the total cost of all the systems of the State. El Paso county, with six large canals, having a total length of 92 miles, leads all others in the number of irrigators and in the mileage of ditches.

"At El Paso, after passing through a deep canyon in the Franklin Range, the Rio Grande flows out upon a broad valley which has a length of 60 miles and a general elevation of 4000 feet. The bed of the river at this point is unstable and is often changed several miles during a flood. The banks are generally low, affording an excellent opportunity for the intake of gravity ditches. Sixty miles below El Paso the valley of the Rio Grande suddenly contracts where the river passes through the Whitman Mountains. From this point down to Del Rio, a distance of 400 miles, its course is through canyons in a region of wild and picturesque scenery and no opportunities are presented for irrigation, except at one point in Presidio county, near Fort Leaton, where it flows out upon a narrow valley for about 25 miles. In this valley it receives from Mexico the waters of an important tributary—the Concho. At Del Rio and 50 miles below, near Eagle Pass, the Rio Grande supplies water for several canals. A number of pumping stations are used in the vicinity of Laredo, Carrizzo, Rio Grande, Hidalgo, and Brownsville.

"For a number of years during the irrigating season there was a shortage of the water supply in the Rio Grande. In the census year it sufficed for only one irrigation in El Paso county, and no crops were harvested, except a small quantity of hay and forage, which yielded but slight returns. The marked yearly decrease in the volume of the Rio Grand has been the cause of much distress and suffering in that part of the State which is dependent upon this stream for water. Although the ditches in El Paso county cover 30,000 acres of land, in 1899 crops were grown on only 4826 acres, and the products generally were such as would mature with water received during the flood season. The Rio

Grande Valley in this county, once one of the most fertile and productive in the country, is rapidly returning to its original state—that of a desert.

"Large canals along the Rio Grande in Colorado and Mexico exhaust the normal flow, and until a system of reservoirs is constructed to hold the flood waters, most of the farms in this part of Texas will have to be abandoned. A reservoir site has been surveyed and its capacity is claimed to be sufficient to irrigate all the arable land for 40 miles below El Paso on both sides of the river. As its construction involves questions of international importance, this work can not be attempted with private capital.

"The Pecos River, flowing through arid and semi-arid Texas, irrigates considerable areas in the counties of Reeves, Ward, and Pecos. The canals are of great length and designed to irrigate large areas. The irrigated acreage under ditches is about 70,000, and the irrigation systems have a total length of 104 miles and cost \$231,800. In 1899 the acreage irrigated by them was 15,465.

"In explanation of the small acreage cultivated, it may be stated that from the constant use of the water of the Pecos River for irrigation in New Mexico, it has become impregnated with mineral matter which is injurious to vegetable growth, and, until some remedy is found for this, the further extension of irrigated areas is not probable.

"There are a number of irrigation systems in the valleys of the Colorado and Brazos rivers, several of considerable importance, used in the cultivation of forage crops, grain, orchard and small fruits; and truck. Many crops in this section were seriously damaged by severe floods early in June, 1899, and many irrigation plants were entirely destroyed. Some of the most important canals are at Menardville and San Angelo. During the census year in Tom Green and Menard counties there were 157 irrigators, operating 17 plants, costing \$84,325, having a length of 69.9 miles, and irrigating 7563 acres.

In 1889 there were 623 irrigators in the State, and in 1899, 1325, an increase of 112.7 per cent. Within the same period, the number of irrigated acres increased from 18,241 to 49,652, or 172.2 per cent. Not including the area irrigated in rice, the increase in irrigated acreage in the State is 69.7 per cent.

"The total value of all crops produced on irrigated land in 1889 was \$539,212, divided as follows: Rice, \$224,315; hay and forage, \$101,569; cereals, \$64,107; vegetables, \$99,240; orchard fruits, \$17,175; small fruits, \$1134; all other crops, \$31,672.

"The relatively high average cost of construction per acre irrigated in Colorado and Jefferson counties is explained by the fact that the pumping plants have been only recently established and in 1899 were not utilized to their full capacity. The area capable of being irrigated by these systems is greatly in excess of that reported as irrigated in the census year.

"The following table gives the number of irrigators and acreage irrigated in 1899, with the number and cost of construction of irrigation systems and the length of main ditches:

COUNTIES	Number of irri- gators	Acreage irrigated	IRRIGATION SYSTEMS			
			Num- ber	Cost of construction		Total length of main ditches
				Total	Average per acre irrigated	
The State ¹	1,325	49,652	581	\$1,027,608	\$20.70	449.9
Bexar.....	76	1,720	4	13,600	7.91	16.0
Colorado.....	3	200	3	26,000	130.00	1.0
El Paso.....	200	4,826	6	192,200	39.83	92.0
Irion.....	35	760	3	2,450	3.22	9.5
Jefferson.....	37	5,859	10	265,000	45.23	20.0
Menard.....	70	2,820	5	30,400	10.78	18.8
Orange.....	19	2,352	4	29,337	12.47	7.0
Pecos.....	17	4,568	7	27,800	6.09	47.0
Presidio.....	25	1,404	4	8,550	6.09	6.8
Reeves.....	33	6,757	7	19,000	2.81	23.0
San Saba.....	28	464	15	3,825	8.24	7.2
Tom Green.....	87	4,743	12	53,925	11.37	50.8
Uvalde.....	9	366	9	5,500	15.03	6.5
Valverde.....	43	2,179	1	25,000	11.47	8.0
Ward.....	131	4,148	2	185,000	44.80	34.0
Other counties (107)	512	6,486	489	140,021	21.59	102.5

¹ Irrigation reported from 122 counties.

² Includes 95 irrigators from wells irrigating 385 acres; cost of plants approximately \$17,193.

"Rice Irrigation. The rice belt, which extends from Sabine county on the east to the Rio Grande on the southwest, includes all the counties bordering on the Gulf and several adjoining. Rice irrigation in Texas really began in 1897, the industry receiving great impetus from the success of the planters in southwest Louisiana. As southeastern Texas is an extension of the fertile prairies which have proven so well adapted to the growing of this cereal in Louisiana, the areas in rice have increased greatly each year. The rice belt at present includes two well developed zones, the Beaumont and the Colorado River valley. Beaumont section is a level prairie which, until a few years ago, was not deemed of much value for agricultural purposes. The slope is rarely more than one foot to the mile, and the elevation is about 250 feet above the sea level at distances from 50 to 125 miles from the Gulf. In 1899, with the exception of 200 acres in the Colorado valley and a few small areas in other counties, all of the irrigated rice was grown in this section. Jefferson county reported 5859 acres in rice, yielding 5,643,194 pounds, or 67.3 per cent of the total acreage and 78.5 per cent of the total yield of the State. There were ten irrigation systems in this

county, representing an expenditure for construction of \$265,000. The total length of the main ditches was 20 miles.

"The methods of cultivating and harvesting rice in Texas are the same as those of southwestern Louisiana. The rice is sown broadcast or with drills, on comparatively high land, from April 15 to June 15. From $1\frac{1}{4}$ bushels to $1\frac{3}{4}$ bushels are sown to the acre, the land having been plowed and harrowed as for wheat. The rice lands are flooded after the rice is up to the height of from 3 to 6 inches, the water being kept on the land from 90 to 110 days. The water kills the grass and weeds and promotes the rapid growth of the plant. From 10 to 20 days before the harvest, depending upon the growth and nature of the soil, the levees at the lower sides of the fields are opened and the water is drawn off by means of ditches. The rice is cut with self-binders and thrashed from the shock or stacked to suit the convenience of the farmers. The same kind of machinery is used in cultivating, harvesting, and thrashing rice as is used with wheat in the Northwest.

"The following table shows the number of irrigated rice farms, the acreage, yield, and value of crop, 1899:

IRRIGATED RICE, BY COUNTIES.

COUNTIES	Farms report- ing	Acres	Pounds	Value
Chambers.....	2	37	9,360	\$240
Colorado.....	1	200	300,000	13,000
Harris.....	1	35	113,400	3,780
Jasper.....	2	52	27,135	706
Jefferson.....	37	5,859	5,643,194	171,349
Liberty.....	4	162	65,588	2,118
Newton.....	1	2	2,700	60
Orange.....	19	2,347	1,017,934	32,917
Sabine.....	4	4	3,400	80
Waller.....	2	2	1,750	65
Total.....	73	8,700	7,184,461	\$224,315

The United States Department of Agriculture gives the following as the estimated average yield per acre of rough rice¹ in the United States:

STATE	Bushels	Barrels
Louisiana	25.5	6 3-8
North Carolina	31.6	7 7-8
South Carolina	28.3	5 7-8
Georgia	31.0	7 3-4
Florida	27.0	6 3-4
Alabama	28.2	7
Mississippi	10.4	2 5-8
Texas	46	11 1-4

The "Year Book" is informed by a standard authority that there are 250,000 acres planted in rice in Texas this year, 1903. In 1899 Texas and Louisiana produced three-fourths of the rice grown in the United States. The percentage is now much larger. Texas leads Louisiana by a good and constantly widening margin.

The cotton crops raised in Texas in 1899, 1900, 1901, and 1902 were as follows in commercial bales: 1899, 2,658,555; 1900, 3,536,506; 1901, 2,594,442; 1902, 2,587,299. The crop for 1900, according to accounts of ginners, was 3,438,386, and that for 1902, 2,498,013. The large decrease in 1902 was due to the boll weevil and other causes.

Experiments now being conducted by the National and State governments will result, it is believed, in the discovery of a means by which the boll weevil can be destroyed. Texas will then resume its former rank as producing more than one-third of the American crop and nearly one-fourth of the world's supply, and probably take a still higher position.

¹ For a full history of the rice industry in Texas, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2.

LABOR DAY.

The first Monday in September (Labor Day) is a legal holiday in Texas. The State departments and all county and municipal offices remain closed, and the labor unions and citizens generally observe it (especially in the cities and larger towns) with appropriate exercises. Particularly interesting programs were observed in Galveston, Houston, San Antonio, Austin, Waco, Dallas, Fort Worth, and other places, in 1902. One of the most notable events in connection with the celebration was a speech at Palestine, delivered by Hon. John H. Reagan, in which he discussed prevailing economic conditions, particularly the relations subsisting between labor and capital, and between true industrial prosperity and the fictitious prosperity that alone is to be expected under the dominance of the trusts.

It is a long stride from the days when Shakespere wrote of workmen as "base mechanicals" to these early days of the twentieth century when the dignity of labor is universally acknowledged, when it is officially recognized in the United States by setting apart one day in the year as a legal holiday in its honor, when thinkers like Ruskin declare labor to be one of the highest forms of worship, and when moral and political forces seem to be gathering strength to place laborers in our Republic, at least, upon a plane where they will receive their just proportion of the fruits of their toil.

HOUSTON & TEXAS CENTRAL RAILWAY COMPANY.

The following brief account of railway building in Texas, including the inception, construction, and present status of this fine road, that penetrates with its main and subsidiary lines garden spots of Texas, and has added to their native charms that of financial value, will prove of interest to the reader who cares to acquaint himself with those facts relating to the material development of the State that lie beneath the surface of so-called history (The quoted paragraphs and some of the facts are from a very exhaustive and able article written by R. A. Thompson, Assoc. M. Am. Soc. C. E., Expert Engineer of the Railroad Commission of Texas, and published in Vol. IV, Part 1, "Transactions of the Texas Academy of Science," in the year 1901; other facts were collected especially for the "Year Book."):

"Rivalry between cities situated at or near the coast for the rich and valuable trade of the interior," says Mr. Thompson, "early determined the loci for railway projection. These cities were seats of political influence, and could in a measure control legislation in favor of certain railways, which were projected in territories favorable to them. The

interior towns were rivals in securing for themselves the favor of being made the objective points of these lines.

"* * * The first railway charter in Texas was granted by Congress on December 16, 1836. * * * A number of other lines were chartered up to 1848, all of which were forfeited, including the first. They were followed by charters for a large number of other lines, most of which were forfeited. * * *

There were 32 miles of railroad in operation in Texas in 1854, 40 in 1855, 71 in 1856, 157 in 1857, 205 in 1858, 284 in 1859, 307 in 1860, 392 in 1861, 451 in 1862, 451 in 1863, 451 in 1864, 465 in 1865, 471 in 1866, 513 in 1867, 513 in 1868, 583 in 1869, 711 in 1870, 865 in 1871, 1078 in 1872, 1578 in 1873, 1650 in 1874, 1685 in 1875, 2031 in 1876, 2210 in 1877, 2428 in 1878, 2591 in 1879, 3244 in 1880, 4913 in 1881, 6009 in 1882, 6075 in 1883, 6198 in 1884, 6687 in 1885, 6925 in 1886, 7889 in 1887, 8205 in 1888, 8486 in 1889, 8710 in 1890, 8801 in 1891, 9028 in 1892, 9154 in 1893, 9231 in 1894, 9442 in 1895, 9485 in 1896, 9589 in 1897, 9778 in 1898, 9869 in 1899, and 10,124 in 1900.

"* * * The H. & T. C. R. R. was chartered by an act approved March 11, 1848, under the name of the Galveston & Red River Railroad, to construct from Galveston to the Red River. Work did not begin on this line within the time specified, and the charter was forfeited, but was renewed by act of the Legislature, February 14, 1852. Work began at Houston in 1853, and by act approved February 7, 1853, the Legislature confirmed this action, instead of requiring Galveston to be made the southern terminus. The first locomotive was not put on until January 22, 1856, when two miles had been constructed. A reorganization of the company was effected and the name changed to the Houston & Texas Central Railway Company by act approved September 1, 1856. The line was completed to Cypress, 25 miles, by July 27, 1856; to Hockley, 35 miles, by May 11, 1857; to Hempstead, 50 miles, in 1858, and by October 1, 1859, 75 miles were in operation. In 1860 the road was extended to Millican, 80 miles from Houston, when construction was suspended on account of impending civil war, which was inaugurated in the following year and prevented further building. After the war the work was taken up and pushed with energy. The road was completed to Bryan, 100 miles, in 1867; to Calvert, 130 miles, in 1868; to Corsicana, 210 miles, in 1871; to McKinney, 296 miles, in 1872, and to the present terminus at Denison by January 1, 1873.

"By an act approved August 30, 1870, the H. & T. C. Ry. Co. was granted authority to purchase and consolidate with the Washington County Railroad from Hempstead to Brenham, and extend the same to Austin. Also, by an act approved May 24, 1873, it was granted authority to acquire the property and franchises of the Waco & Northwestern Railroad from Bremond to Waco and extend same northwest in accordance with provisions of the W. & N. W. R. R. charter. The H. & T. C. passed into the hands of a receiver and was sold September 8, 1888. It was reorganized August 1, 1899 under title of the H. & T. C. R. R.,

which included only the main line from Houston to Denison and the Austin branch. The W. & N. W. R. R. (Waco branch) remained in the hands of its receiver until by act of the Legislature, passed in May, 1897, the H. & T. C. R. R. was permitted to purchase and consolidate with the same.

"The Austin Branch of the H. & T. C. R. R. was chartered by act approved February 2, 1856, from Hempstead to Brenham, under name of the Washington County Railroad. Work began on this line in 1857, and 11 miles were in operation in 1858. The road was open to Brenham, 25 miles, October 1, 1860. The Air Line Railroad was chartered January 30, 1860, to construct from Brenham to Austin, but nothing was done. After acquiring the W. C. R. R., in 1870, the H. & T. C. R. R. extended and completed the same to Austin in 1872.

"The Waco Tap Railroad Company was chartered by act approved November 5, 1866. It was rechartered under the title of the Waco & Northwestern Railroad by act of August 6, 1870, and completed from Bremond to Waco in 1872. It was operated as a part of the H. & T. C. Ry. until 1884, when the latter passed into the receiver's hands. A separate receiver was accorded the W. & N. W. R. R., which was purchased by the H. & T. C., as above stated, in 1897, and is at present a part of that system.

"The Austin & Northwestern Railroad Company was chartered April 29, 1881, from Austin to Abilene. It was opened as a narrow-gauge line to Burnet, 60 miles, by January 1, 1882, and was completed to Marble Falls by May, 1889.

"The Central Texas & Northwestern Railway Company was chartered as the Waxahachie Tap Railway Company by act approved January 25, 1875, to construct a line from a connection with the H. & T. C. to Waxahachie. It was chartered under its present name September 28, 1881, and built to Waxahachie from Garrett, 12 miles.

"The Fort Worth & New Orleans Railway Company was chartered from Fort Worth to New Orleans on June 13, 1885. This line was in operation from Waxahachie to Fort Worth, 41 miles, by May, 1886.

"The A. & N. W. R. R., C. T. & N. W. Ry., and F. W. & N. O. Ry., though operated as separate and distinct lines, are considered as part of the H. & T. C. Ry. system. An act of the Twenty-sixth Legislature, approved May 20, 1899, granted authority to the H. & T. C. R. R. to purchase and consolidate with these lines upon fulfillment of certain conditions, but to date the company has not taken advantage of the terms of this act.¹

"The present mileage of the H. & T. C. R. R. * * * is 673.74 miles.

"The system received land donations from the State aggregating 5,553,780 acres.

"The H. & T. C. was the first railway constructed across the State

¹ The purchase and consolidation have since been effected.

from north to south, and it opened up a vast and very fertile territory. It is one of the most valuable pieces of railway property in the State.
* * *

Since Mr. Thompson's article was written (in 1900) the Houston, East & West Texas Railway has been incorporated into the system and the Lancaster Tap constructed. The present mileage of the road is as follows: Houston & Texas Central R. R., 691.73 miles; Houston, East & West Texas R. R., 191 miles; Lancaster Tap, 4.76 miles; total, 887.49 miles.

The following are the principal officers of the H. & T. C.: R. S. Lovett, President, Houston, Texas; C. H. Markham, Vice-President, Houston, Texas; J. N. Miller, Manager, Houston, Texas; A. V. Kellogg, Engineer Maintenance of Way, Houston, Texas; M. A. Wescott, Right of Way Agent, Houston, Texas; C. C. Gibbs, Land Commissioner, San Antonio, Texas; M. L. Robbins, General Passenger Agent, Houston, Texas; Wm. Doherty, Acting Assistant General Passenger Agent, Houston, Texas; W. H. Taylor, Acting General Freight Agent, Houston, Texas.

The counties traversed by the H. & T. C. are among the most productive in Texas.

This line is a model as to roadbed, equipment, comfortable depots, and care bestowed upon the convenience and comfort of its passengers. To it is due, in large part, the credit of rousing the sleeping giant, Material Progress in Texas, and thereby inaugurating the era of advancement that since the war between the States has worked greater transformations than any wrought by the fabled genii of the lamp and, as it were, has tilted the cornucopia of Fortune so that a constantly increasing stream of wealth is pouring upon the hills and plains, and into the valleys, villages, and cities of the State.

Nor must the mead of praise be bestowed only for what the road has done. Its efforts for Texas have never been relaxed; they are being exerted to the utmost in the present, and will be continued in the future. It is difficult to overestimate the power of such an agency for good; the danger is not in that direction, but that it will not be properly appreciated and rewarded.

SOUTHERN PACIFIC RAILWAY COMPANY.

"SUNSET ROUTE."

This magnificent system, which finally realizes the dreams of many generations of statesmen and wise, public-spirited men in Texas, from the Republic of Texas to within our own times, extends from New Orleans to San Francisco, is excelled in equipment by none on the continent, and through its connections can route travelers direct to any

quarter of the globe, place them at their destination in the shortest possible time, and supply them with every accommodation needed for comfort or luxury while in transit.

The Texas portion of the system includes the following roads: Galveston, Harrisburg & San Antonio, 917 miles; Texas & New Orleans, 394.90 miles; New York, Texas & Mexican, 150.81 miles; Gulf, Western Texas & Pacific, 111.20 miles; San Antonio & Gulf, 37.95 miles, and Galveston, Houston & Northern, 54.19 miles; an aggregate of 1666.05 miles.

"It would be tedious and unprofitable," says Rev. Homer Thrall in his history of Texas, "to enumerate the many charters for railroads during the Republic. No roads were built or even commenced. In 1852 the preliminary surveys were made upon two lines of road, and some work done: the Buffalo Bayou, Brazos & Colorado Road and the Memphis & El Paso Road. The Buffalo Bayou, Brazos & Colorado Road, gauge four feet eight and one-half inches, was commenced under supervision of Gen. Sidney Sherman¹ at Harrisburg in 1852. The second locomotive west of the Mississippi was on this road. The road reached Stafford's Point in 1853, Walker's in 1854, and Richmond, 32 miles from its initial point, in 1855. The Brazos was crossed by a temporary bridge nearly on a level with the water. It reached the Colorado at Eagle Lake, 65 miles, in 1859; Alleyton in 1860, and Columbus, where the Colorado was bridged, in 1866. By an act of the Legislature in 1870, the charter was changed, and San Antonio became its objective point. Since that period it has been known as the 'Sunset Route,' or the G. H. & S. A. Railway. Thomas W. Pierce of Boston became the president and principal owner of the road. It reached Schulenburg in 1873, Luling in 1874, and Kingsbury in 1875. * * * It reached the Guadalupe River at Marion, 184 miles from Harrisburg, in September, 1876. In January, 1877, the terminus for passengers was changed from Harrisburg to Houston. On the 15th of January of that year it reached San Antonio. From this point it may be extended to the Rio Grande by any route the company may select. As the road is now built, it has a length of 215 miles, of which 36 miles are steel rails, and the remainder of the best iron T rails, and all fish-plated. There are 14.3 miles of pile and trestle bridges; 1401 linear feet of iron truss bridges, and 3112 feet of combination truss bridging on the line, all of which are pronounced by competent judges as first class in every respect and the entire road as A No. 1 in every particular. * * *"

Mr. Thrall wrote in 1878.

Mr. H. A. Thompson, expert engineer of the Railroad Commission of Texas, says in an article published in 1901 in the "Transactions of the Texas Academy of Science": "The Buffalo Bayou, Brazos & Colorado Railway was incorporated by act approved February 11, 1850, and was

¹ Commanded the Texan right at the battle of San Jacinto April 21, 1836, and, with his regiment, was the first to cross the Mexican breastworks.

projected from a point on Buffalo Bayou between Lynchburg and Houston, west to the Colorado River, thence north to Austin, to develop the very fertile valleys of the Brazos and Colorado Rivers. This is the pioneer of Texas railways. * * * Work commenced on this road just 22 years after the first railway was in operation in the United States. * * * Work began near Harrisburg in 1851 when the first locomotive ever brought into Texas (weighing twelve tons) was put on. * * * It had early been the intention of the company to extend the line up the Colorado valley to Austin, but it was seen that the natural course was in the direction of San Antonio, and an extension was chartered February 16, 1858, under title of the Columbus, San Antonio & Rio Grande Railroad from the Colorado River near Columbus west via Gonzales and San Antonio to the Rio Grande near Eagle Pass, To connect the B. B., B. & C. Ry. with the C. S. A. & R. R. R., the Columbus Tap Railway was incorporated by act approved February 2, 1860.

"No further construction was done on any of these lines until after the civil war. In accordance with an act passed at the called session of the Twelfth Legislature, approved July 27, 1870, the Galveston, Harrisburg & San Antonio Railway was chartered to succeed the B. B., B. & C. Ry.; also to acquire and succeed to the corporate rights of the Columbus Tap Railway and extend same west, via San Antonio, to El Paso with branch lines to Austin and Eagle Pass. Construction began again in 1874. * * * On March 1, 1877, the road was in operation to San Antonio, 207 miles. In 1880 the branch from Stella to Houston was opened, and also the Austin branch as far as La Grange. On September 1, 1881, the company was reported to have 100 miles in operation east of El Paso. Construction proceeded as rapidly as possible and the gap between San Antonio and El Paso was closed in 1883. The Eagle Pass branch was opened from Spofford to Eagle Pass about the same time."

The G. H. & S. A. is one of the best constructed and most efficiently operated¹ railways in the State, and constitutes an important link in the great Southern Pacific Transcontinental Railway system, one of the most powerful and successful railway systems in the world.

"* * * The Texas & New Orleans Railroad was chartered by act approved September 1, 1856, under the name of the Sabine & Galveston Bay Railroad and Lumber Co., from the Sabine river in Orange county, via Beaumont, to Galveston bay. An act approved December 24, 1859, changed the name to the T. & N. O. Railroad. Work began on this line in Houston in 1858. By January 1, 1861, it was in operation to the Sabine river at Orange. It was partially destroyed by the Confederates in 1865, and was not entirely rebuilt and operated again until 1876. August 1, 1876, it was reopened for traffic from Houston to Orange. The charter was amended May 23, 1882, to provide for a line from Sabine Pass to Marshall. The Sabine & East Texas Railway was acquired, which was in operation from Sabine Pass to Rockland, 103

¹ Standard guage, best steel rails, rock-ballasted, dustless.

miles. * * * By an act approved May 22, 1899, the T. & N. O. Railroad was authorized to purchase and consolidate with the Texas Trunk Railroad from Dallas to Cedar, about 50 miles, and extend same to connect with the former Sabine & East Texas Railway at Rockland."

The New York, Texas & Mexican Railway was chartered November 17, 1880, to extend from Rosenberg to Brownsville, and was completed to Victoria, 91 miles, by January 15, 1882.

The Gulf, Western Texas & Pacific Railway was chartered under an act of the Legislature passed August 4, 1870, which authorized the consolidation of the San Antonio & Mexican Gulf Railroad and Indianola Railroad under that name. The San Antonio & Mexican Gulf Railroad was chartered under an act approved September 5, 1850, to extend from Port Lavaca to San Antonio. The Indianola Railroad was chartered under an act approved January 21, 1858, to extend from Indianola, via Gonzales, to Austin. After a few miles had been graded it was taken over, in 1860, by the S. A. & M. G. Ry. Co. Construction on the San Antonio & Mexican Gulf Railroad began at Port Lavaca in 1856. It was open for traffic as far as Victoria, 28 miles, in April, 1861. It was destroyed by General Magruder in December, 1863, and was rebuilt by the Federal authorities in 1865-6. After the consolidation under the Act of August 4, 1870, construction was resumed. The line was open for traffic to Cuero, May 31, 1874, and was subsequently extended 55 miles to Beeville.

The following are the principal officers of the Southern Pacific Railway system in Texas: C. H. Markham, Vice-President; W. G. Van Vleck, Manager; H. A. Jones, Freight Traffic Manager; T. J. Anderson, General Passenger Agent; C. K. Dunlap, General Freight Agent.

If you desire information about any part of the immense territory penetrated by the Southern Pacific, rice lands, timber lands, fruit lands, mountain and seaside pleasure resorts, etc., write to T. J. Anderson, General Passenger Agent, at Houston.

The wharves and other terminal facilities of the Southern Pacific at Galveston were constructed at a cost of \$1,500,000; are surpassed by those of no road anywhere in the United States, and are a source of just pride not only to Galveston, but all Texas.

The road has spent hundreds of thousands of dollars to develop the rice and fruit sections of the State, and is continuing the good work; has been foremost in every movement to build up the fortunes of the State, and the people, feeling that "one good turn deserves another," are its fast friends.

E. P. TURNER,
G. P. AND T. A. TEXAS & PACIFIC RY. CO., DALLAS.

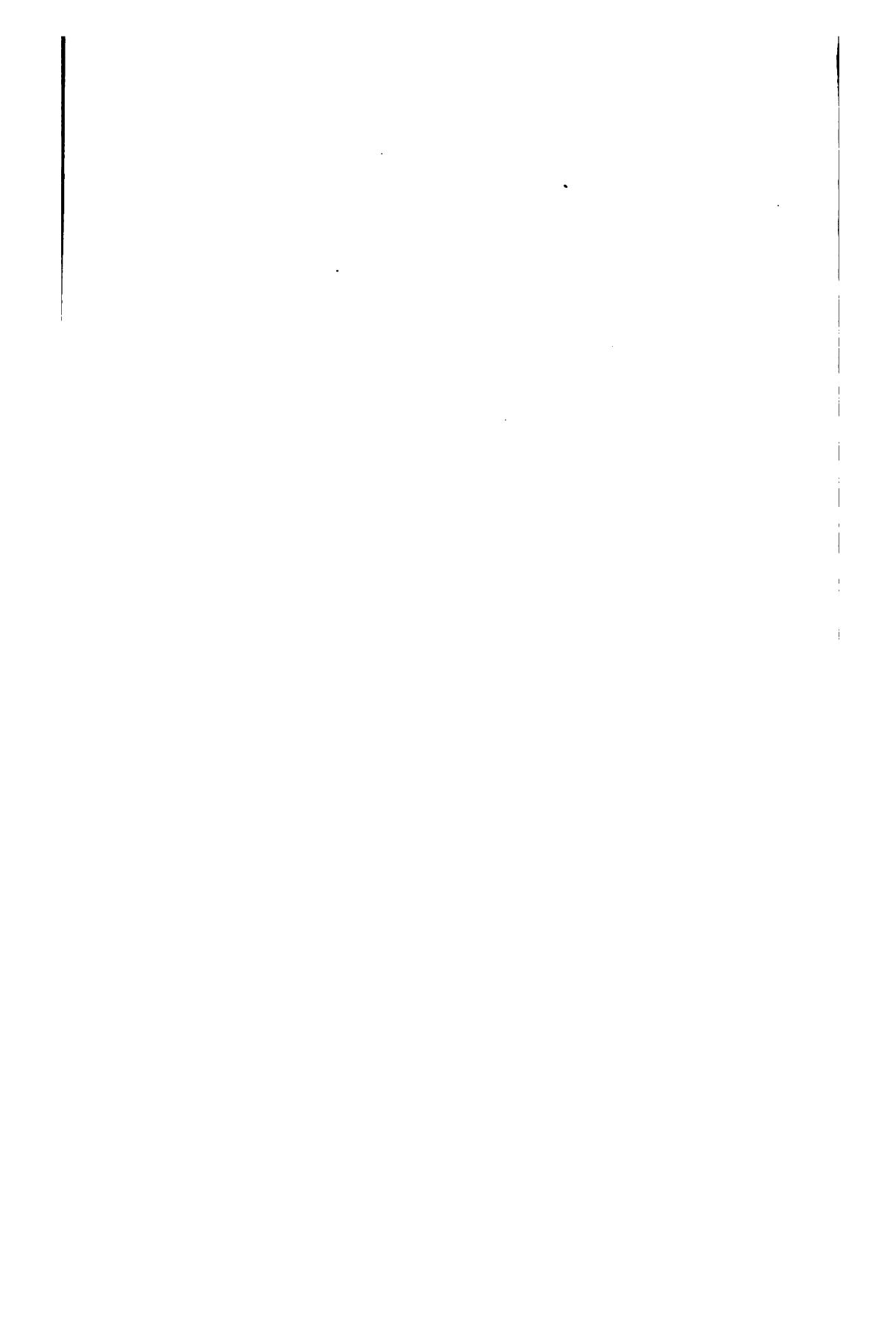
The fascination that the railroad business evidently possesses for men of ability, is doubtless due to the fact that, starting at the bottom of the ladder (where all are made to begin), it opens practically an unlimited field for preferment, that in it all pretense and incompetency are quickly exposed and nothing but merit wins, and capacity is quickly recognized, promptly utilized, generously recompensed, and is the only master-key that unlocks all the doors that lead to success.

Among other brainy men whose talents it has absorbed, may be mentioned the gentleman whose name heads this brief, friendly notice. E. P. Turner was born in Ottumwa, Iowa, in 1856, began railroading as a telegraph operator with the old Atlantic & Pacific Railway when 13 years of age; was ticket agent of the I. & G. N. Railroad at Houston in 1872, adopted the motto "No trouble to answer questions," in 1876, and was ticket agent of the Texas & Pacific Railway Company for nearly twenty years prior to being appointed General Passenger and Ticket Agent of that line in 1897, which position he has since filled. He is one of the most widely and favorably known railroad men in the country, has done an immense beneficial work not only for his line, but for Texas, and virtually, as the pioneer in that direction, deserves great credit for introducing and applying in his dealings with the public those principles of kindness, courtesy, and accommodating helpfulness that lend a charm to private life—in a word, for demonstrating that it is possible to be a first class, dashing and capable business man and at the same time a polished and thorough gentleman. It is no trouble for him to answer questions, and, it may be said truly, there are none in his line that he can not answer. His home in Dallas is one of the most delightful and elegant in the State, for the reason that in early life, with his usual good sense, he placed "at the head of it," as his wife, one of the fairest, best, and most accomplished daughters of the South.

The writer has known Mr. Turner for years, and has watched his career—his steady and modest upward climbing—almost from its beginning. He is undoubtedly one of the strong men intellectually, and one of the potent factors for good, in the State, and it is to be hoped that he will tarry long enough "on this dull terrestrial ball" to help push Texas well to the fore, and as much longer as will enable him to enjoy the fruits of the good work when it is accomplished.



E. P. TURNER.



THE TEXAS AND PACIFIC RAILWAY.¹

It may not be generally known, but it is nevertheless the fact, that the idea of building a railroad across the continent to the Pacific was originally conceived in reference to the route adopted for the present Texas & Pacific Railway, as early as 1852, when the Legislature of Texas granted the first charter. But so doubtful were capitalists as to the practicability of the enterprise, and of its commercial value, that eight years after the grant less than twenty-five miles of the road had been completed within the State of Texas. The fact was that the original projectors of this enterprise were a decade in advance of the times. Of course, nothing was done during the civil war, but interest was reawakened in 1871, when Congress granted the present company's charter, providing for a railroad extending from Eastern Texas to the Pacific ocean.

While all the hopes and plans of the original projectors have not been fully realized, there nevertheless exists the great southern thoroughfare between the Atlantic and Pacific oceans, and the Texas & Pacific Railway, as now constructed, constitutes 1524 miles thereof, 1139 of which are within the borders of Texas, and 385 miles of which are in Louisiana. With the eastern termini at Texarkana and New Orleans, the Texas & Pacific Railway runs in a westerly direction, through the northern part of Texas, to El Paso, connecting at that point with the Southern Pacific Railway to the Pacific coast, and with the Mexican Central Railway to Mexico. This, the main line, via Marshall and Dallas, has a length of 867 miles; the Trans-Continental division from Texarkana to Fort Worth, via Sherman, has a length of 244 miles, and the New Orleans division, extending from New Orleans, La., to Marshall, Texas, has a length of 368 miles. With its connections, it forms one of the most important routes of traffic between the Gulf States and the upper Mississippi valley, between the Gulf and the great Northwest, between the Atlantic coast and the Pacific coast, and between Mexico and the entire North and Northeast. Crossing two great States from east to west, it connects with every important railway line in Texas and Louisiana, and all points in Texas, Mexico, New Mexico, Indian Territory, and Louisiana, can be reached by way of the Texas & Pacific Railway. In Texas, the railway traverses thirty-two counties, but the greater part of its traffic may be said to come from a strip of country about 100 miles wide, extending from Texarkana to El Paso. Within this strip are seventy-four counties, having a population of about 1,000,000. There are 897 cities, towns, villages and postoffices within the territory mentioned, and among these are some of the most important commercial and manufacturing cities in the State.

¹ This article is reproduced verbatim from an excellent descriptive publication issued by the passenger department of the road.

The different zones of resource peculiar to the country traversed by the Texas & Pacific Railway are perhaps best shown by an imaginary trip over the line. From New Orleans, a few feet above sea level, west for many miles, are thousands of acres devoted to the cultivation of sugar cane and rice. Further northwest, skirting the south bank of Red River, is a large area, planted annually in cotton, corn and sugar cane. Approaching the Texas border and extending into the State 100 miles or more, are great forests of yellow pine, cypress, white oak, ash, sweet gum, and other valuable woods, interspersed at intervals with flourishing towns, lumber camps, and well kept orchards and farms. * * * In the same region are found extensive deposits of iron ore, and brick, fire and potters' clays. Early fruits are grown extensively and exported fresh to the Northern markets. The standard field crops of the country are corn, oats and cotton. While pasturage for cattle is not very abundant, the forests afford mast in almost unlimited quantity, and hogs are produced in great numbers.

From the edge of the timber, say from Edgewood station, in Van Zandt county, westward to the Brazos river, a distance of about 140 miles, are the famous black-waxy prairies of Northern Texas, and on the Trans-Continental division of the Texas & Pacific Railway, the rich, loamy Red River lands. This section of the State is densely settled, and produces vast quantities of cotton, corn, wheat, oats, rye, millet, sorghum and vegetables. The counties fronting on Red river are also famous for their fine fruits. Stock raising, in connection with general farming, is carried on extensively, and the finest grades of horses, mules, cattle and hogs in the State will be found on the farms in this region. The altitude of this section is from 400 to 800 feet above sea level.

Between the Colorado and Brazos rivers, a distance of 175 miles, lies a stretch of fertile country, part smooth, open prairie, part rugged timber land, which is admirably adapted to the profitable raising of livestock of all descriptions, and yet produces magnificent crops of cereals, as well as cotton and corn. In quality, weight, and quantity per acre, the cereals grown in this part of the State seem to excel those of other States. The altitude above sea level is from 1000 to 2000 feet. The annual rainfall is not so abundant or as regular as further east, but fairly good crops are made year after year. Land is cheap, and while there is much good farm land, there is much more better suited for pasturage. Great forage crops are annually grown, and these, used in connection with the very abundant natural pasturage, make it possible to produce great numbers of cattle, horses and sheep at very small cost. Wool, hides, beef cattle, mutton sheep, wheat, oats, corn, and cotton, are the principal sources of income. Compared with Eastern and Northern Texas, the region is thinly settled. In several of the counties of this region exist great deposits of coal, and several very extensive mines are profitably worked.

From the Colorado to the Pecos river extend vast open plains, affording most excellent pasturage, and having a mild and equable climate.

The distance between the two rivers is 170 miles, and the altitude varies from 2000 to 3000 feet, the changes in level being abrupt and rising westwardly in a series of tablelands. More or less farming for forage is carried on for ranch uses, but the raising of livestock and the production of wool are the engrossing pursuits of the inhabitants. Great numbers of cattle and horses, and many million pounds of wool and hides, are annually exported. Most ranches have wells and windmills, and a few acres of irrigated land, on which are produced the finest of table fruits, such as fancy grapes, apples, peaches, pears, prunes, nectarines, etc.

The Trans-Pecos country lies west of the Rio Pecos and extends to the Rio Grande, a distance of 215 miles. It is a region of elevated tablelands, broken by numerous high mountain ranges. Most of these tablelands lie from 3000 to 5000 feet above sea level, the mountains being from 1000 to 3000 feet higher. The tablelands are covered with a luxuriant growth of grass, but are not adapted to general farming operations, owing to their great altitude and consequent dryness. The mountains are rich in minerals, particularly silver, copper, lead, iron and zinc, though indications of gold have been frequently found. Valuable ores abound in nearly all of these mountains, and in a small way are being developed. Immense deposits of sulphur ore exist in El Paso county, and some of them are being mined. In Reeves county is a great quarry of fine red sandstone, of which great quantities are exported. Marbles of various colors are known to abound in several of the mountain ranges, and indications of coal, asphalt and petroleum have been found in Reeves and Pecos counties.

Agriculture, horticulture and truck-growing in this elevated region are confined to the immediate valleys of the Rio Grande, the Pecos river, Toyah creek, Limpia creek, numerous large springs and other sources of water supply, where the same can be applied for irrigation. Compared with the general area of the country, the acreage devoted to farming by irrigation is limited, but the results obtained are marvelous as to quality and quantity of yield. The finest and most productive orchards in the Southwest are found in this part of Texas and New Mexico, and the export of fine table fruits and commercial truck has grown into a business of great magnitude. The sugar beet yields exceptionally well as to quantity per acre, and the content of sugar is said to be higher here than anywhere else in the United States. All the staple crops common to the country are also produced by irrigation, and generally a better quality and a larger yield is secured. This mountain region is a favorite resort for people suffering from pulmonary troubles, the dry atmosphere and almost total absence of other diseases being highly beneficial.

The farmer, stockman and wool grower can find soils, pastureage and water to his liking, and can have prairie or timber land, or both, as he may desire. He can buy improved farms in the thickly settled parts of Northern or Central Texas, do mixed or stock farming further west on more ground for less money, or raise his stock on the open range in the

thinly settled counties west of the Colorado river. If he wants to raise fruit, or farm by irrigation, he can make his home in the Pecos valley, the Rio Grande valley, the Concho, and the valleys of many smaller streams in Western Texas.

Persons desiring to travel for health or pleasure, or to secure homes in Texas, should address E. P. Turner, General Passenger and Ticket Agent of the Texas & Pacific Railway Co., Dallas, Texas.

INFLUENCE OF RAILROAD BUILDING IN TEXAS.

The following relating to this subject, is from "Texas," an interesting booklet published by E. P. Turner, Esq., General Passenger and Ticket Agent of the Texas & Pacific Ry. Co.:

"With the passing of Mexican supremacy in Texas came a great increase of population. Thousands of hardy settlers pushed their way to the new republic from the southeast and brought with them their families, their livestock and other belongings. Transportation was slow and tedious, and up to 1870 the counties near the Gulf of Mexico and those convenient to the several navigable streams received the greater part of the immigration that came to the State. Systematic farming could be carried on profitably only in such localities where transportation was easy. Corn and small grain were principally grown for home consumption, cotton being the principal article of export. In the agricultural regions, a number of good business towns grew up, and from these were supplied the more remote localities, in which for want of economical transportation the engrossing pursuit of the inhabitants was the raising of cattle, horses and other live stock. These could travel to market on their own hoofs, and time was less valuable than now. There was considerable of home comfort and of primitive conveniences; a chronic scarcity of ready money prevailed, but most farms produced what was needed for home consumption, and the few extras needed were readily supplied by the sale of a few bales of cotton or a few steers. The manufacturing enterprises consisted of a limited number of grist mills, saw mills and cotton gins. Daily newspapers, daily market reports, crop mortgages and other incidentals of a later day were practically unknown.

"During the civil war, agricultural and pastoral pursuits were practically abandoned, and at its close the State was greatly impoverished. The great forests of yellow pine and valuable hard woods in Eastern Texas had hardly been touched by the woodman's ax. Steam saw mills were few and far between, and lumber was laboriously hauled several hundred miles by ox teams and was high in price. From the timber belt to the Brazos river were vast stretches of rich black prairies, sparsely stocked with cattle, and dotted here and there with a small town and a struggling agricultural community. Beyond the Brazos, the Comanche,

Lipan, Kickapoo and other tribes made the country unsafe, the few settlements existing being generally in the vicinity of some government fort.

"Between 1870 and 1882 was the period of greatest activity in railroad construction, and most lines now in operation were built at that time. Quick, cheap and easy communication was established with the important trade centers of the North and East and St. Louis, Kansas City and Chicago became active competitors for Texas lumber, cotton, cattle, wool and small grain. The new railways brought to the State new people, new wealth, new industries, new markets, new demands for products, which were before that time salable only in limited quantity.

* * * Immigration poured into the State. * * * The human tide flowed in and distributed itself over a vast area, opening up farms and building new towns where easy transportation was assured. The mild climate, the fruitful soils, the great diversity in production and the very low values of real estate attracted many thousands of new settlers, who created a demand for food products unheard of before, and an era of prosperity was inaugurated which has never flagged since. Hundreds of thousands of new farm homes were founded, more railroads were built, hundreds of saw mills, flouring mills, grist mills, cotton gins and other establishments were erected, cities and towns sprang up as by magic, and the foundation of an empire was laid and built to last for all time. In less than one generation the limit of successful agriculture was moved from the piney woods of East Texas to the flower bedecked prairies along the 100th meridian, and far beyond this under the shadows of the Rocky mountains, men have turned to account the limpid waters of the mountain streams, impounded them, led them through canals and ditches to make fruitful farms amid great pastures. The immigrant has crowded the stockman far beyond the Brazos river, and he in turn crowded out the Comanche Indian and his brethren. Yet the work of settlement is not finished; another generation will have to complete the work. Railroads now gridiron the eastern third of the State, the most fertile region in America, maintaining a population of over 2,000,000, and the northwestern, western and southwestern regions contain fully 1,000,000 more.

"* * * The citizens of Texas are wide awake, energetic and progressive, and they know that in the strength of numbers, the aggregation of wealth, lies safety for the present and power for the future. They want the advantages of their State to be well known and wish every one to come and share them, and aid in building up and fulfilling the destiny of the richest and strongest State in the Union."¹

¹ All the foregoing is correct, save the statement that "during the civil war agricultural and pastoral pursuits were practically abandoned * * *." The fields were cultivated by the slaves and it was noted as a mark of divine mercy that better crop years were never known in Texas than during the war period.

THE DEVELOPMENT OF A TEXAS ENTERPRISE.¹

On page 307 of volume 1, "Year Book for Texas, for 1901-2," is found a copy of the contract for the printing of the higher court reports of the State of Texas, covering the next twenty years, between H. P. N. Gammel and the State of Texas.²

While it was universally known that this was one of the largest book contracts ever closed in the United States, it was little thought by the public that the result of this contract, which was the direct result of Texas legislation for home industry, would be of immediate benefit to the State and bar of Texas. No one then thought of the Gammel-Statesman Publishing Company, which we find to-day operating in the city of Austin, the most complete printing plant in the South, giving employment to more than two hundred experts and skilled mechanics.

In making this contract the State put itself in a better position relative to having its court reports issued than any other State in the Union. As will be seen by referring to copy of the contract in volume 1, the contractor is to supply the State of Texas 160 copies of each edition free of charge. Also to deliver to the State the electrotype plates for each edition, the contractor only reserving the right to use the plates exclusively for the next twenty years. The State thereby protects the Texas lawyer of the next generation from paying exorbitant prices for books which to them will be actually necessary.

The contract further provides for the reprinting of the entire edition of the Supreme Court Reports from its very earliest date. This is an enormous undertaking, and for which purpose was organized a \$200,000 stock company, absorbing the Gammel Book Company, and the Austin Statesman Publishing Company. By this consolidation Messrs. John H. Kirby, H. P. N. Gammel, A. S. Vandervoort, M. E. Foster, W. B. Wortham, and C. F. Gydeson became connected with the big printing company, and these gentlemen now form the actual management.

A trip through the plant at once shows the integrity and enterprise of a new Texas industry. The offices on the ground floor are magnificently furnished, and the hard working clerks give an idea of the volume of business transacted. In the rear of the offices is the press room. Here the Austin Statesman is printed in the early morning hours on a rotary printing press at the rate of 10,000 copies per hour. They are delivered by this machine in such order as to be ready for shipment without further handling.

Next we observe the presses installed specially for printing the reports mentioned in the State contracts. These machines are wonders;

¹ Article written by one familiar with the facts and furnished the "Year Book," by special request.

² Also see article entitled "State Department" elsewhere in this volume..

being entirely automatic, they appear almost human in the manner in which they feed the sheets of paper onto the cylinders. These machines have been invented only a few years, and are the first of their kind south of St. Louis.

A modern and elaborately finished elevator takes the observers to the second floor, where is found first, the genial and hard working "brainery" of the Statesman. This editorial department, as in all metropolitan newspapers, is open twenty-four hours a day. The news gathering facilities of this establishment is complete in every detail, as can be seen by the Capital City morning daily.

In the rear of the editorial rooms is the composition room. The best lighted composition room in the State of Texas. Here is found the latest type-setting machines with a capacity of over 30,000 ems per hour. Over 40,000 pounds of type metal is in constant process of manufacture, or in other words, this plant has the capacity of setting up an 800-page book in three days. From this floor we again take the elevator to the bindery, which covers the entire third floor of this sixty foot by one hundred and sixty foot building, with the exception of the proof reading rooms, which are on this floor and connected with speaking tubes and chutes to the other mechanical departments. The bindery is the most complete of its kind, being equipped with automatic folders, signature presses, sewing and sawing machines, smashing machines, book cutters and trimmers, stabbing and embossing machines, etc., etc.

Special attention is called to the sewing machine, the first in the South. This machine sews a book much superior to that which can be done by hand, and in less than one-tenth the time. The books are sewed in such a manner as to come out in strings about five feet in length; they are then cut in the proper place and the sewing is automatically lock stitched, thereby making it impossible to sever the pages except by tearing.

The smashing machine puts 2000 pounds of pressure to the square inch on the book, making them so compact that the usual wobbling found in books will not appear in any that have gone through this process.

One of the machines most worthy of mention is an automatic rounder and backer. This machine with an expert operator can round and back from one hundred to two hundred and fifty volumes while another expert operator makes one volume in the old-fashioned way. This shows the difference in plain figures of the old and the new way of making books.

Under the contract this company agrees to furnish the reports for \$2 per volume, and their ability to do so was greatly doubted by Texas manufacturers, but it has now been proven that they can not only make books at that price, but first class books in every respect. The expert printer, whose examination they must muster, reports that these are the best books ever delivered to the State of Texas.

Another fact worthy of mention is the electrotype foundry, which to the uninitiated is marvelous. Here by electric currents copper is trans-

ferred, invisible, from a heavy copper sheet to a wax surface, which, when it becomes of the proper size, color and quality, is made into the plates from which the books are printed, and later delivered to the State to make further books from in the course of time as they may be needed.

TEXAS FEDERATION OF WOMEN'S CLUBS.¹

The fifth annual session of the Texas Federation of Women's Clubs was held at Beaumont, November 17, 18, 19, 1902, and was presided over by Mrs. Percy V. Pennybacker, president of the organization.

There was no election of officers. The election will take place at the next meeting, when the two years for which the officers were elected will expire. President, Mrs. Percy V. Pennybacker, Austin; vice-presidents: Mrs. Cornelia B. Stone, Galveston; Mrs. J. D. Osborn, Cleburne; Mrs. John B. Goodhue, Beaumont; Mrs. Edmund Key, Marshall; Miss Ella Cockrell, Abilene; Mrs. Milton W. Simms, Bryan; corresponding secretary, Miss Nola Ellen Dilworth, Austin; recording secretary, Mrs. W. A. Johnson, Greenville; treasurer, Mrs. G. A. Brown, Vernon; auditor, Mrs. F. B. Boydston, McKinney. State secretary General Federation W. C., Mrs. Annie McLean Moores, Mount Pleasant. Appointive members of executive board: Mrs. Cecil Smith, Sherman; Mrs. P. H. Swearingen, San Antonio; Mrs. Chas. T. Bonner, Tyler.

Honorary members: Mrs. Edward Rotan, Waco (perpetual ex officio member executive board); Mr. Edward Rotan, Waco; Mr. E. P. Turner, Dallas; Capt. J. C. Terrell, Fort Worth.

Fort Worth was selected as the place for the annual meeting in 1903. Just before adjournment sine die Mrs. Mary Autry Greer, only living daughter of Micajah Autry, one of the heroes of the Alamo, was introduced and given the Chautauqua salute. She is 74 years old and is the mother of Representative R. A. Greer and Hal W. Greer, of Beaumont, and D. Edward Greer, of Dallas, law partner of ex-Attorney General Crane.

At night, November 19th, a brilliant reception was given the delegates by the local women's clubs in the rooms of the Elks and Neches clubs, and proved a delightful finale to one of the most pleasant and satisfactory gatherings of club women held in Texas.

¹ For a history of the Texas Federation of Women's Clubs, statement of times and places at which the various annual meetings have been held, and list of all who have served as officers and for what terms, see the "Year Book for Texas, for 1901-2," for sale by the Gammel-Statesman Publishing Co., Austin, Texas, price \$2. It contains an article by Mrs. Pennybacker, covering the subject.

THE LITERATURE OF TEXAS.

BY JAMES W. LOWBER, PH. D.

[Author of "Macrocosmus," "Cultura," "Struggles and Triumphs of the Truth," etc.]

The time of the people in Texas thus far has been largely devoted to the material development of the vast resources of the great State. They have not had much time for literature; still Texas is by no means without its literature. In the "Bibliography of Texas," by C. W. Raines, State Librarian, we learn that Texas has had more than 600 writers, and some of these writers have wielded an influence far beyond the bounds of Texas.

POETRY.

Texas has not been without her poets, and some of them have attracted attention not only beyond the borders of the State, but even beyond the seas. Mirabeau B. Lamar, president of the Republic of Texas, wrote a volume of poems, which was published in New York in 1857. It evinced considerable poetic talent and contained some really sparkling gems. Mrs. Mollie Moore Davis published a volume of poems which passed through several editions, and was highly praised by several poetic critics. William Lawrence Chittenden has attracted considerable attention by his volume of "Ranch Verses," and he is known as "The Cowboy Poet." His poem, "Remember the Alamo," will not die. When I lived in Fort Worth I had the privilege of reading a small volume by Mrs. Ida V. Jarvis, entitled "Texas Poems." Some of these poems are of high merit.

FICTION.

Texas has been naturally attractive to fictitious writers, and many books have been written. While none have been of the highest order, some have manifested an artistic ability not by any means to be despised. I have only space here for two or three writers. Mrs. Mollie Moore Davis has written several works which have attracted a good deal of attention. Mrs. Fannie C. Iglehart's "Face to Face with the Mexicans," has received much praise, and the work truly deserves it. It is really one of the best works of its kind that I have seen on Mexico. Mrs. Iglehart has spent much time among the Mexicans, and has consequently been able to write intelligently. About one year ago Mrs. Lowber read to me B. K. Benson's "Who Goes There." We were both much interested in the work, and as it claims to be founded upon fact it is an important psychological study. The hero, who was a Southern soldier, got wounded, lost his identity, and served for a month in the Federal army. Finally he came to himself and returned to his Southern comrades.

HISTORY.

Mrs. Anna J. H. Pennybacker's "History of Texas for Schools" is well written, and it has shown itself to be of great value in the schools and colleges of the State. I read with great interest both volumes of John Henry Brown's "History of Texas." Some critics have regarded this work as onesided and unfair, but I could not help sympathizing with the positions taken by the author. I am by no means a specialist in Texas history, but I venture to predict that the future historians will substantiate the principal positions taken by Mr. Brown. Walter F. McCaleb, Ph. D., has written a work on "The Aaron Burr Conspiracy" that shows very minute investigation, and the book possesses considerable merit. It has only been published a short time, but it has received high commendation. It will cause controversy, stimulate investigation, and do much good in its way. Dr. George P. Garrison, Professor of History in the University of Texas, has recently written a work embodying a comprehensive resume and critical review of the salient facts in Texas history, which will soon appear from the press. From Dr. Garrison's known ability we look forward to this work with much interest.

PHILOSOPHY.

Dr. Lewis R. Dabney, for a number of years Professor of Moral Philosophy in the University of Texas, has written a work of great merit on "The Sensualistic Philosophy of the Nineteenth Century." I read the work with much care, and consider his arguments against the "Sensualistic Philosophy" as practically unanswerable. Dr. Dabney was much interested in the "Problems of Philosophy," and contributed some very important articles to *Christian Thought*, the journal of the American Institute of Christian Philosophy. The present writer had the honor of succeeding him as Texas vice-president of the American Institute of Christian Philosophy. Dr. Sydney Edward Mezes, Professor of Philosophy in the University of Texas, contributed an important paper to the first volume of the Philosophical Union of the University of California. This paper was a contribution to a discussion on "The Conception of God." Dr. Josiah Royce, of Harvard University, and Dr. Joseph Le Conte and Dr. G. H. Howison, of California University, were the other philosophers participating in the discussion. Dr. Mezes has also written a work on Ethics, which has been highly commended.

SCIENCE.

Prof. William Seneca Sutton, of the University of Texas, has contributed from time to time important papers on "The Science and Art of Education." Drs. Henry Winston Harper, Frederick William Simonds, William L. Bray, William Morton Wheeler, and others of the Department of Science of the University of Texas, have made important contributions to the literature of science. In fact, I am pleased to see their

names attached to articles in "Science," the organ of the American Association for the Advancement of Science.

I am glad to say in conclusion that there are bright prospects for the literature of Texas in all of its departments.

**LESTER GLADSTONE BUGBEE,
LATE ADJUNCT PROFESSOR OF HISTORY IN THE UNIVERSITY OF
TEXAS.**

It is a source of unfeigned sadness that, instead of being able to announce upon these pages some new work of useful scholarship undertaken, or accomplished, by Lester G. Bugbee, the fact that he has passed from among those who loved him and has journeyed across the borderland of death never more to return, may alone be recorded with a few poor words relating to the main incidents of his life and testifying appreciation of the value of the labor he performed and of his fine mental endowments and (what is of more worth) noble character.

He died at his home in Johnson county on the 17th day of March, 1902, of consumption, after a long and painful illness and was buried at Pleasant Point, in that county.

It was thought that a change of air and scene would stay his malady, and the Board of Regents of the University of Texas insisted upon his taking the necessary vacation; but all to no purpose.

He was born at Woodbury, Texas, May 16, 1869, the son of Almon and Mrs. Fannie (Nunn) Bugbee; was a student at Mansfield College, Texas, from 1883 to 1887, and at the University of Texas from 1887 to 1889 and 1890 to 1893; graduated from the latter institution as B. Lit. in 1892 and as M. A. in 1893; was University fellow in history, Columbia University, in 1893-4; was, until failing health compelled him to resign the position, corresponding secretary and treasurer of the Texas State Historical Association, of which he was one of the organizers; was a member of the Public Archives Commission of the American Historical Association; and was connected with a number of leading college and literary societies. He was unmarried.

For some years past at the University of Texas, a special study has been made of Texas history and a course of systematic research pursued with a view to following the various threads of that history to the original reservoirs of facts from which they proceed and there collecting at first hands material that, when properly combined, will unfold upon the written scroll and printed page a true record of the past.

This undertaking is being conducted under the direction of Prof. Geo. P. Garrison.

From the beginning he found a sagacious and indefatigable co-laborer in Mr. Bugbee, whose patriotic, as well as literary instincts, were thoroughly aroused in the prosecution of such a task.

As often as Mr. Bugbee's duties as adjunct professor in the University of Texas and other demands upon his time permitted, he embodied part of the results of his investigations into articles that were published, excited widespread popular interest, and won for him the commendation of scholars capable of appreciating the value of the work.

Among articles of the kind may be mentioned the following: "The Old Three Hundred," in the Quarterly of the Texas State Historical Association, I, 108-117; "The Real St. Denis," *ibid.*, 266-281; "Slavery in Early Texas," in Political Science Quarterly, XIII, 389-412, 648-668; "What Became of the Lively," in The Quarterly of the Texas State Historical Association, III, 141-148; "Some Difficulties of a Texas Empresario," in Publications of the Southern History Association, III, 95-113; "The Texas Frontier, 1820-25," *ibid.*, 102-121, and "The Bexar Archives," in the University of Texas Record, I.

He was of an even and serene temper, possessed great kindness of heart, was slow to form friendships, but warm and deep in his personal attachments, and by natural constitution a student. Had he been of more robust physique and able to continue longer upon the high paths he was pursuing, he would have left a rich legacy of accomplishments to Texas.

As it was, he did much for which the State owes him a debt of gratitude that can be best paid by his name being ever accorded by its writers an honored place among the first critical and scientific explorers of the field of Texas history.

GENERAL CONFERENCE OF THE M. E. CHURCH, SOUTH.

BY REV. D. W. GARDNER.

The M. E. Church, South, held its fourteenth quadrennial meeting, or General Conference, at Dallas, May 7-26, 1902. Forty-six annual conferences responded to the roll call with 278 delegates, equally divided between preachers and laymen. Behind these in the several conferences were by official reports, 6293 traveling preachers, 4982 local preachers and 1,516,516 members. The bishop's address was read at the beginning of the session. It embodied an exhibit of the various interests of the church—educational, missionary, social and business—with sundry recommendations on the line of reform, and was reverent and optimistic in tone. Bishop Wilson was in the chair at the opening of the session. Gov. Joseph D. Sayers delivered an address of welcome for the State of Texas. In response to the several addresses of welcome, Bishop Galloway spoke in behalf of the General Conference.

One of the absorbing questions was whether or not the \$288,000 appropriated by Congress and paid out of the national treasury in 1898 for damages done the Southern Methodist Publishing House at Nashville by Union troops during the civil war should be returned to the government. After the payment was made and it was learned that the church agent was to get 35 per cent for his services in pushing the church claim for damages, several senators affirmed on the floor of the United States Senate that they were induced to support the claim by misleading statements of the agent. An offer was then made, on the part of the church authorities to refund the money. After a full investigation, however, the Senate exonerated the church from all blame, and declined to take any further action in the matter. Subsequently, in reply to Bishop Chandler, who further expressed a willingness to refund the money if it was thought that any improper means had been employed to obtain it, or if the honor and dignity of the church would be in any way compromised by retaining it, Senators Clay and Mason, with the written concurrence of seventy-nine senators, said, among other things, that “* * * they found the church not under obligations either of necessity or propriety to return the money which had been paid it.” After this vindication, the conference could well afford to resolve

“First, That the church distinctly repudiates all the acts of concealment, misstatement, or unfairness on the part of any and all persons representing the church in the prosecution of this claim before Congress, either intentional or otherwise, and whether the same did or did not affect the vote or opinion of any senator or representative.

“Second, That we endorse the purpose of our bishops in their communication to the United States Senate, and do hereby ratify and confirm their conditional tender of the money and make their action the act of this General Conference and declarative of the mind of the church, and that this action be entered on the Journals of the General Conference as a final disposition of the whole matter.”

In accordance with the report of the Commission on Federation with the M. E. Church, the bishops were authorized to act in concert with the bishops of the M. E. Church in the work of preparing a common hymnal for public worship, a common catechism and a common order of worship. The Conference continued the commission for the ensuing four years and expressed the hope that the General Conference of the M. E. Church would enact provisions to the effect that where either church is doing the work expected of Methodism in a place, the other church shall not organize a society or erect a church building until the bishop holding jurisdiction in the case has been consulted and his approval obtained. Provision was also made for establishing a joint publishing house in China. (It is now in successful operation.) The office of deaconess was created by the General Conference in connection with the Woman’s Home Mission Board, which body was instructed to prescribe a course of training for the candidates, who must be at least twenty-three years of age and single women or widows.

Strong ground was taken for missions, temperance, Sunday schools, education, etc. A board of insurance was created for the more general and adequate insurance of the church property.

In arranging the boundaries of the conferences in Texas, the North Texas Conference and the Northwest Texas Conference were left intact; the East Texas Conference was merged into the Texas Conference, and the West Texas Conference was enlarged by the addition of the Austin district from the Texas Conference; so there are, at this time, but four English-speaking conferences in Texas. Bishop J. C. Granberry was placed on the retired list, on his own motion, after fifty-five years' service in the traveling connection, twenty of which were spent in the episcopal office. Two additional bishops were elected, viz: Dr. E. E. Hoss and Dr. A. Coke Smith, making a total of thirteen in the episcopal college. According to the plan of the Episcopal Visitation, Bishop Duncan will visit Texas next fall and preside over the conferences in the following order: West Texas, at Austin, November 4th; Northwest Texas, at Fort Worth, November 11th; North Texas, at Dallas, November 25th, and Texas, at Bryan, December 2, 1903.

The addresses from the fraternal delegates from the other branches of Methodism were excellent and Christian in spirit, especially that of Dr. Huntington of the M. E. Church.

MASONRY IN TEXAS.

In tracing Masonry to its source in Texas, the first effort to establish a lodge within the present territorial limits of the State is found to have been made by Stephen F. Austin, whose keen intelligence, lofty purpose, and constructive genius set flowing in a brief, troubled and toilsome lifetime so many of the streams of good that have come down to our day increased in volume by affluents and that promise to deepen and expand through coming years and extend their benefits to all later generations. Before he came to Texas he was a member of St. Louis (Territory of Missouri) Lodge No. 3, A. F. and A. M., that held a charter from the Grand Lodge of Pennsylvania.

February 11, 1828, Stephen F. Austin, H. H. League, Ira Ingram, Eli Mitchell, Joseph White, G. B. Hall, and Thomas M. Duke (York Masons) held a meeting in San Felipe de Austin for the purpose of taking action to secure a charter for a lodge. On motion of Ira Ingram, H. H. League was elected chairman and Thomas M. Duke secretary.

"On motion of Brother Stephen F. Austin, and seconded," say the minutes of the meeting, "it was unanimously agreed that we petition to the Grand Lodge of Mexico for a charter or dispensation to organize a lodge at this place, to be called the Lodge of Union."

"On balloting for officers the following * * * were duly elected: Brother S. F. Austin, Master; Brother Ira Ingram, Senior Warden, and Brother H. H. League, Junior Warden."

In Mexico Masonry was rent into rival factions on the line of politics—the Escocesas or Scotch Rite Masons favoring Centralism, and the Yorkinas or York Rite Masons advocating Republicanism in government. On account of the civil war then raging between these parties, no attention was paid to the petition from San Felipe.

The next attempt was to get light from the East, and the petition was sent to the Grand Lodge of Louisiana. Preparatory to this, the following Master Masons made themselves known to one another in the winter of 1834-5, and agreed to later hold a meeting: John H. Wharton, Asa Brigham, James A. E. Phelps, Alexander Russell, and Anson Jones. They were subsequently joined by J. P. Caldwell. (Stephen F. Austin was then absent in the City of Mexico.)

The meeting was held at 10 o'clock in the morning of a day in March, 1835, in a small grove of wild peach or laurel to the rear of the home place of Gen. John Austin and used as a family burying ground.

Funds were raised and a petition prepared that, after being signed by another Master Mason (W. D. C. Hall), was forwarded to the Grand Lodge of Louisiana at New Orleans for the establishment of Holland Lodge No. 36, U. D. The officers specified in the petition were: Anson Jones, Worshipful Master; Asa Brigham, Senior Warden; J. P. Caldwell, Junior Warden. The dispensation requested was granted, the lodge was instituted at Brazoria, December 17, 1835, and the foregoing served as its officers until the close of 1837.

Meetings were held in the second story of the old court house at Brazoria, the last in February, 1836. In March, General Urrea in command of a division of the Mexican army, entered the town and destroyed the records, books, jewels and everything belonging to the lodge.

While the Texas army was on the march across the prairie from Groce's to San Jacinto, John M. Allen, recently arrived from New Orleans, delivered to Dr. Jones a charter for Holland Lodge, issued by the Grand Lodge of Louisiana, and a number of letters from the Grand Secretary. Dr. Jones kept these papers in his saddlebags until after the battle of San Jacinto. They were later taken to Brazoria. No effort, however, was made to revive the lodge at that place. In October, 1837, it was reopened at Houston, and that city has ever since been its home.

Prior to October, 1837, and subsequent to the issuance of the charter to Holland Lodge (the only one issued before the separation of Texas from Mexico) charters were granted to Milam Lodge No. 40 of Nacogdoches and McFarlane Lodge No. 41 of San Augustine.

On invitation of Holland Lodge, representatives of these lodges convened in Houston (General Sam Houston, chairman, Anson Jones, secretary) December 20, 1837, at which time a resolution was adopted that the lodges organize themselves into a Grand Lodge to be styled the Grand

Lodge of the Republic of Texas, appointed a committee to draft a constitution, and designated the third Monday in April, 1838, as the time and Houston as the place for the meeting of the Grand Lodge.

The third Monday in April, 1838 (April 16) the Grand Lodge was opened in due form. The Committee on Constitution not being ready to report, the lodge adjourned from time to time until May 7, when the committee reported a constitution. On the following day, after discussion and amendment, it was referred to a committee of five with instructions to carefully examine it, prepare a code of by-laws and report on the evening of May 10, at which time the constitution and by-laws were adopted. At this session a charter was granted to Temple Lodge No. 4 of the city of Houston.

After the annexation of Texas to the Union the word Republic was dropped, leaving the style: Grand Lodge of Texas.

The Grand Lodge was incorporated by act of the Texas Congress January 30, 1845. New articles of incorporation were granted by the Texas Legislature April 28, 1846, and these were amended and renewed by an act of the Legislature, March 19, 1879.

All the lodges that were represented in the convention that organized the Grand Lodge of Texas are still in existence. The name of McFarlane Lodge No. 3 of San Augustine has, however, been changed to Redland Lodge No. 3.

The progress of Masonry in Texas has never suffered interruption. At first slow, it became more rapid with the increase of population, until now every degree, branch and order sheltered under its majestic enduring dome has found a home in the State. Masonry here has furnished shining lights in the past (Austin, Houston, Anson Jones, Rusk, the scholarly Dr. Ashbel Smith, and many others), and today binds together in a brotherhood, powerful for good, a large proportion of the men of superior talents, virtue and patriotism in the State.

The following special telegram from Waco, Texas, dated May 1, 1903, published in the San Antonio Daily Express, announced the permanent change of Masonic headquarters in Texas:

"Grand Secretary Watson of the Masonic Grand Lodge of Texas took up his official correspondence today from his offices now permanently established in this city.

"The past few weeks have witnessed the removal of all the Grand Lodge books, papers, and archives from Houston to Waco, and their storage in the old courthouse for safe keeping until the new temple shall have been completed. The grand officers are now comfortably located with working offices in the old courthouse building and the correspondence with the subordinate lodges will be conducted therefrom."

ODD FELLOWSHIP IN TEXAS.

BY JAS. L. AUTRY, PAST GRAND MASTER GRAND LODGE I. O. O. F. OF TEXAS.

The Independent Order of Odd Fellows was first planted in the Republic of Texas at Houston by the institution of Lone Star Lodge No. 1 in the year 1838—in the nineteenth year of its existence as an order. This was the first instance of its spread beyond the limits of the United States.

In the sixty-four years of its growth in Texas it has made great progress, and is now fully represented by State organizations of all of the several branches of the order: The Grand Lodge proper, being the legislative and administrative branch; the Grand Encampment, being the center of Patriarchal Odd Fellowship; the Department Council, being the military "Patriarchs Militant" branch, and the Rebekah Assembly, the women's special organization.

The Grand Lodge held its last regular annual communication at Dallas, beginning on Monday, March 2, 1903, and its next will be held at Sherman on the first Monday in March, 1904. The last session was marked by the largest attendance within the history of the order in Texas, and the records presented of the work of the year past were particularly pleasing—the figures in every instance showed marked progress. The number of subordinate lodge members was 17,969, an increase of more than 12 per cent, whilst 42 additions brought the total number of lodges up to 407. In all respects prosperity was manifest. The following are the Grand Lodge officers for 1903: Frank S. Kerr, Grand Master, Corsicana; T. L. Wren, Deputy Grand Master, Austin; B. J. Hubbard, Grand Warden, Kaufman; G. C. Fahm, Grand Secretary, Dallas; S. W. Porter, Grand Treasurer, Sherman; T. R. Anderson, Grand Representative to Sovereign Grand Lodge, Waxahachie; R. M. Chapman, Grand Representative to Sovereign Grand Lodge, Greenville.

The Grand Encampment held its last regular annual meeting at Dallas on February 2, 1903, and its next will be held at Sherman on the first Monday in October, 1903. Its Dallas session was a highly successful one and the reports of the year presented an exceptionally good record. The following are the officers for 1903: H. G. Schnelle, Grand Patriarch, Dallas; J. W. Butler, Grand High Priest, Tyler; J. G. Gossett, Grand Senior Warden, Denison; W. C. Robinson, Grand Junior Warden, McKinney; Chas. L. Sauer, Grand Scribe, San Antonio; S. W. Porter, Grand Treasurer, Sherman.

The Rebekah Assembly meets contemporaneously with the Grand Lodge, and although subordinate thereto, has its own officers and conducts separate proceedings. Within the last ten years this branch of the order has made unprecedented progress. Its greatest inspiration is perhaps the Widows' and Orphans' Home, located at Corsicana, which affords a worthy and never-ceasing object of endeavor on the part of

the "Sisters of Rebekah." There are now in Texas 110 Rebekah Lodges with over 5000 members.

The 1903 officers of the State Assembly are these: Mrs. Minnie Smith, of Cumby, President; Mrs. J. B. Littler, Vice-President; Mrs. Bettie Lee Fahm, Oak Cliff, Warden; Mrs. J. D. Alexander, of Cisco, Secretary; Mrs. H. B. Keesee, of Fort Davis, Treasurer.

The "Patriarchs Militant" are represented by the Department Council as their State organization. Their meetings coincide with those of the Grand Encampment. At the Dallas meeting it appeared that in the State there are 8 "Cantons" with 180 members or "Chevaliers." The waving plumes, gaudy lace, and handsome uniforms make a gathering of the Chevaliers a marked occasion and this well organized "military branch" appeals strongly to the younger members of the order, and so the Cantons are very popular.

The officers for 1903 are these: Lt. Col. Oliver, Dallas, Department Commander; Major E. H. Roache, Dallas, Major Battalion; Lieut. Leon C. Pellett, Dallas, Assistant Adjutant General; Chevalier John Speelman, Dallas, Treasurer.

THE WIDOWS' AND ORPHANS' HOME AT CORSICANA.

No story of Texas Odd Fellowship, however brief, could omit mention of this prosperous and popular institution which lies so very near the heart of every member of the order. It was established in 1886, and with liberal appropriations by the Grand Lodge (by which it is governed) and generous benefactions from individuals, it has grown to large proportions. A finely graded school extending to and including high school branches, cares for the 82 juvenile inmates who share with the four widows all the comforts of a well ordered home. By bountiful provision and generous administration the comforts and blessings of this Home are freely shared by its inmates without any thought or feeling of being the recipients of a chilly charity, all semblance of such being wholly excluded. Of late years this institution has been made the beneficiary of several valuable bequests made in the wills of those who knew of and appreciated its high mission and great success. The home premises now cover 250 acres of land in a high and healthful locality adjacent to Corsicana. Spacious and handsome buildings of brick house the occupants and all modern conveniences and comforts are provided.

H. A. M'ARDLE.¹

All lovers of fine art will doubtless be pleased to know that Texas' great battle painter, McArdle, is actively following his profession in his studio in San Antonio. His labors upon his long studied version of the fall of the Alamo, have been frequently interrupted of late by requests from persons desiring his services upon work in portraiture and historic subjects. His most recently completed portraits were those painted in response to commissions received from the faculty and students of Baylor University, for lifesize likenesses of Dr. Carey Crane and Rufus C. Burleson, presidents of said institution. The portrait of Dr. Crane was first painted. Upon its presentation to the University in May, it was pronounced "a magnificent painting," and so well pleased were the faculty with it, that the artist was at once commissioned to paint a portrait of Dr. Burleson.

Mr. McArdle is in receipt of commissions for several other portraits after the completion of which he will probably discontinue portrait painting indefinitely, to resume work upon his sublime theme entitled "Dawn at the Alamo."

It is hoped by all true Texans that this master piece, when completed, may find a resting place in our State capitol with its companion, "The Battle of San Jacinto," now hanging in the Senate chamber.

Many of McArdle's friends throughout the South are urging him to reproduce his "Lee at the Wilderness," destroyed in the burning of the old capitol in 1881. This *chef d'oeuvre* of McArdle's genius was executed soon after the close of the Civil War while the mind of the artist—himself a Confederate soldier—was yet fresh with vivid recollections of the great struggle, and his soul was inspired with his sacred theme. Comparatively few persons are aware of the inestimable loss which not only Texas, but the South, has sustained by the burning of this picture. Its value first as art, and second as patriotic history on canvas can be appreciated when we remember that President Jefferson Davis, when standing before the painting nearly thirty years ago, shed tears, and afterwards in writing of it, said: "I well remember the effect produced upon me by McArdle's magnificent picture. His artistic treatment of the subject is worthy of General Lee, the Texan troops and the occasion. Can I say anything stronger?"

McArdle is an artist whose love for Texas and patient years of research and labor spent in the illustration of her history merit the gratitude and praise of all Texas, especially when we consider that his rare talents might have been devoted to subjects of more universal interest, thereby winning for him a wider reputation.

¹ Contributed to the "Year Book" by a friend, in compliance with a special request for the preparation of the article.

JAMES M. HURT,
DALLAS.

Judge Hurt, former Presiding Judge of the Court of Criminal Appeals, died at his home near Dallas, April 19, 1903. He was born in Carroll county, Tennessee, December 15, 1830.

His father, Elder James M. Hurt, was a noted Baptist preacher, whose brother Isaac was also a minister in the same church. His grandfather was Philomen Hurt, of Virginia, who, as a Continental soldier in the American revolution, served under General Greene at Guilford Court House, Va., and elsewhere. Both father and grandfather lived to be octogenarians. The mother of Judge Hurt was a daughter of David Marshall of the well-known Virginia family of that name, who was an early immigrant into Tennessee and assisted in establishing the town of Lebanon.

Judge Hurt was reared on the farm; completed his literary education at Bethel College and a Kentucky academy; read law three years at Jackson, Tenn., under Hon. Milton Brown (author of the resolutions for the annexation of Texas to the United States); was a student for three sessions at the law school of Cumberland University and graduated from that institution and was admitted to the bar by the Supreme Court of Tennessee in 1857; while at the University became acquainted with Miss Matilda L. Douglass, formerly from Tennessee, daughter of Judge William Douglass, then living at Osceola, St. Clair county, Missouri, and was married to her at her father's home in April, 1858, and began the pursuit of his profession at Osceola; in the autumn of that year moved with his bride, father-in-law and family, and other relatives of his wife, to Sherman, Grayson county, Texas, and soon built up a good practice; when Texas withdrew from the Union, raised the second company of infantry in Grayson county and was mustered into the first battalion of Texas sharpshooters in Gen. S. B. Maxey's brigade, C. S. A., on the east side of the river; was at the bombardment of Port Hudson in the spring of 1863, but before the close investment of the place, reported, under orders, to Gen. Joseph E. Johnston at Jackson, Miss., and served with him during the siege, and for a time after the fall, of Vicksburg, Miss.; in December, 1863, in obedience to instructions from the Confederate Secretary of War, assumed command of the battalion, as its senior captain, and joined General Maxey with it in the Trans-Mississippi Department, and served under him until the end of the war; kept his company together at the surrender, and, marching it back to Grayson county, disbanded the men at their homes; was a member of the Texas Constitutional Convention of 1866; was appointed district attorney by Governor Throckmorton, but on the substitution of the congressional plan of reconstruction for that of President Johnson, refused to take the "iron clad oath" and resigned; was reappointed to the office

by Governor Davis in 1870 (after the readmission of the State to the Union), at the solicitation of his friends, and with the distinct understanding that he was a Democrat and was to be allowed complete freedom of action; was arbitrarily removed about a year later and the appointment given to a lawyer more in accord with the Governor; moved to Dallas in 1876 and rapidly built up a lucrative practice; was appointed one of the judges of the court of appeals October 2, 1880, by Gov. O. M. Roberts, to succeed Judge George Clark, who had resigned; was elected to the position by the people at the general election held November 2 of the same year, and was re-elected a judge of the court November 7, 1882, November 6, 1888, and November 6, 1894. After his election November 6, 1894, he drew four years counting from December 31, 1894, and, declining to further be a candidate, retired from the bench December 31, 1898. May 4, 1892, he was chosen by the court as its presiding judge (to succeed Presiding Judge John P. White, resigned), and thereafter served as such.

He left a wife and several children. He was a most able lawyer and judge and leaves in the unwritten traditions of the bar and his published decisions monuments well worthy the best efforts of any member of his profession, and that only true and well-guided ambition, coupled with learning, application, and genius, is capable of constructing, even in a long lifetime, and that are more to be desired than the golden sarcophagi of kings.

CHAS. S. MORSE,**AUSTIN.**

Dr. Chas. S. Morse, clerk of the Supreme Court of Texas, died at his home in Austin, May 13, 1902, and on the following day was buried in the City Cemetery.

He was born at Troy, Pennsylvania, October 23, 1849; moved to Georgia with his parents; joined the Confederate army in 1863 and served until the close of the war, surrendering with Gen. Joseph E. Johnston's army in North Carolina; graduated from the Savannah Medical College in 1873 with distinguished credit; came to Texas the next year and entered upon the practice of his profession near Corsicana; afterwards drifted into the newspaper business at Corsicana, where he married in 1875 Miss Helen J. Chambers; read law and was admitted to the bar in 1876; was during that year appointed clerk at Galveston of the newly created Court of Appeals; continued in that position until he was appointed clerk of the Supreme Court, to succeed W. P. DeNormandie, deceased; was secretary of the Texas Bar Association from its organization in 1882 until his death; and was a thirty-third degree Mason of high standing in the order.

TEXAS BAR ASSOCIATION.BY A. E. WILKINSON.¹

Bar associations flourish in most of the States of the Union, but comparatively few of them are able to present a record of continuous and successful annual meetings for so many years as does that of Texas. The association was organized at a meeting held in Galveston on the 15th and 17th days of July, 1882, in pursuance of a call for that purpose signed by all the judges of the appellate courts and by many leading lawyers throughout the State. The list of those issuing the call contains many names over which the memory of Texas lawyers loves to linger with tender reverence. They were O. M. Roberta, Geo. F. Moore, Robert S. Gould, M. H. Bonner, John W. Stayton, John P. White, J. M. Hurt, Sam A. Willson, R. S. Walker, A. T. Watts, W. S. Delaney, A. S. Walker, J. H. McLeary, A. W. Terrell, A. M. Jackson, C. S. West, John B. Rector, W. P. Ballinger, T. N. Waul, A. H. Willie, Robt. G. Street, C. L. Cleveland, Throckmorton, Brown & Bryant, F. Chas. Hume, Philip C. Tucker, Frank B. Sexton, Thos. J. Devine, Jacob Waelder, James F. Miller, Thos. M. Harwood, Simkins & Simkins, Baker & Botts, Hutcheson & Carrington, George T. Todd, Walter Acker, J. A. Carroll, Marshal Fulton, E. G. Bower, Richard Morgan, Jr., A. H. Field, A. W. De Berry, John E. Elgin, Sayles & Bassett, Hare & Head, Woods, Wilkins & Cunningham, Makemson, Fisher & Price.

Hon. Thos. J. Devine was made the first president, with an imposing array of vice-presidents, and Chas. S. Morse, secretary, a position which he was destined to fill continuously for twenty years.

A constitution and by-laws were adopted and the first meeting of the organized society fixed for December of the same year, in Galveston. A list of over 300 members appears in the published reports of this organization meeting.

At the regular annual meeting in December the association promptly showed that it took seriously the object professed in its constitution of advancing the science of jurisprudence and promoting the administration of justice. Its first action on meeting was to elect a presiding officer in the place of its president, who was absent, and to pass on applications for membership. The next was to name W. P. Ballinger, Geo. F. Moore, W. L. Prather, B. H. Bassett and T. J. Brown as a committee to prepare an amended judiciary article for the constitution to be urged on the Legislature at its next session.

It was an era of overburdened courts and delayed justice, and the association struck promptly at the most crying abuse then existing in the administration of the law.

¹ Judge Wilkinson is secretary of the Bar Association and Reporter for the Supreme Court of Texas.

Gen. T. N. Waul was elected president of the association and the next meeting fixed at Houston, in December, 1883. That session found the society fully embarked in its work. There were reports from the committees on jurisprudence and law reform, on judicial administration and remedial procedure from the special committee on constitutional amendment (that its proposed judiciary bill had succeeded only in getting introduced and referred), and other committees. A spirited debate was precipitated over a resolution from the committee first named, looking toward memorializing Congress in favor of steps to abolish the distinction between law and equity in the procedure of the Federal courts. In giving its assent to this proposition the association vindicated its courage to attempt big things in spite of the failure of its attempt of the previous year upon the constitution of its own State.

The program of this meeting in the matter of addresses and papers assumed substantially the form which has been pretty generally maintained since that time. There was an address by the president on the year's changes in the statute law, an annual address by Hon. R. S. Walker, of the commission of appeals, upon the bench and bar of early days in Texas, and papers by A. J. Peeler, Esq., of Austin, and Hon. Robert G. Street, of Galveston. The former dealt with "The Right of Land Owners of Texas to Protection," a subject of timely interest in view of the fence cutting troubles then constituting a burning issue in the State; the latter with the perennial theme of "Texas Pleading."

Hon. J. H. McLeary, of San Antonio, was chosen president for the ensuing year and the adjournment was for a meeting in that city in November, 1884.

Limits of space forbid a notice of the proceedings at the successive sessions of the association. It met, as stated, in November, 1884, at San Antonio; in May, 1885, at Austin; in July, 1886, at Dallas; September, 1887, at Waco; July, 1888, at Fort Worth; July, 1889, at Galveston, and at the same place and in the same month each year thereafter until 1902, when it went to Dallas, and there named San Antonio as its meeting place for the present year. This change in the place of meeting was due to a feeling on the part of a majority of the members that the interests of the association would be served and its membership increased by bringing it in closer touch with the bar in different parts of the State, and the removal was accomplished with some reluctance, for Galveston had come to seem like the permanent home of the society, and the profession there had been untiring in hospitality and devotion to its advancement.

During the twenty years of its active life it is believed that the Texas Bar Association has accomplished substantial good both for its members and for the State at large. Many interesting addresses have been made and papers read by eminent lawyers. Besides those published in full in its printed proceedings, which have been issued each year for the benefit of its members, the annual reports of its various committees, especially those upon jurisprudence and law reform, upon remedial pro-

cedure, and upon legal education, have brought before it, from time to time, the most interesting problems of legislation affecting our commonwealth and these reports have been orally discussed in its meetings with zeal and ability by many of the best trained lawyers of the State. As examples, might be cited the full discussion, extending through several successive annual meetings, of the merits of the plan of land registration and transfer commonly known as the "Torrens system," led by Judge Hill, of Livingston, whose reports from the committee having charge of the subject, with their exhibits in the way of pamphlets and correspondence furnished a mine of information in regard to the proposed legislation and the practical experience of the working of the law in those jurisdictions where it had been adopted. Also might be mentioned the persistent efforts, but recently crowned with success, of the committee on legal education and admission to the bar.

If the recommendations of the association in regard to legislation have too often met the immediate fate accorded to its first effort in regard to the reform of the judiciary system, this by no means affords a measure of its influence for good. Interest has been awakened and information diffused by intelligent discussion of questions of practical importance in government, and the seed planted has borne fruit and will continue to do so, though the harvest seems sometimes long delayed. Finally, the association has steadily contributed to the maintenance of a high standard of professional ethics and to the promotion of cordial social relations and many warm friendships among its members.

Though numbering in its list of members the names of many of the most eminent public men of the State, it seems to have become an unwritten law that the presidency of the association, which has been justly regarded as one of the blue ribbons of professional distinction, should go, not to judge, or governor, or congressman, but to one known almost exclusively for his high rank as a practicing lawyer. By a similar custom the vice-presidency has come to be regarded as the line of promotion to the presidency. Much of the success of the association has been due to the faithful services of Chas. S. Morse, Esq., who from the beginning has filled the laborious position of secretary with zeal and devotion. The sense of loss by his untimely death last year was appropriately marked by a memorial page in the last published proceedings of the organization.

Following are lists of the presidents of the association for each year of its existence; also of the persons delivering the respective annual addresses before it, and of the papers read and their subjects. The committee reports and matters made subjects of general discussion, though often most interesting, are too numerous for notice.

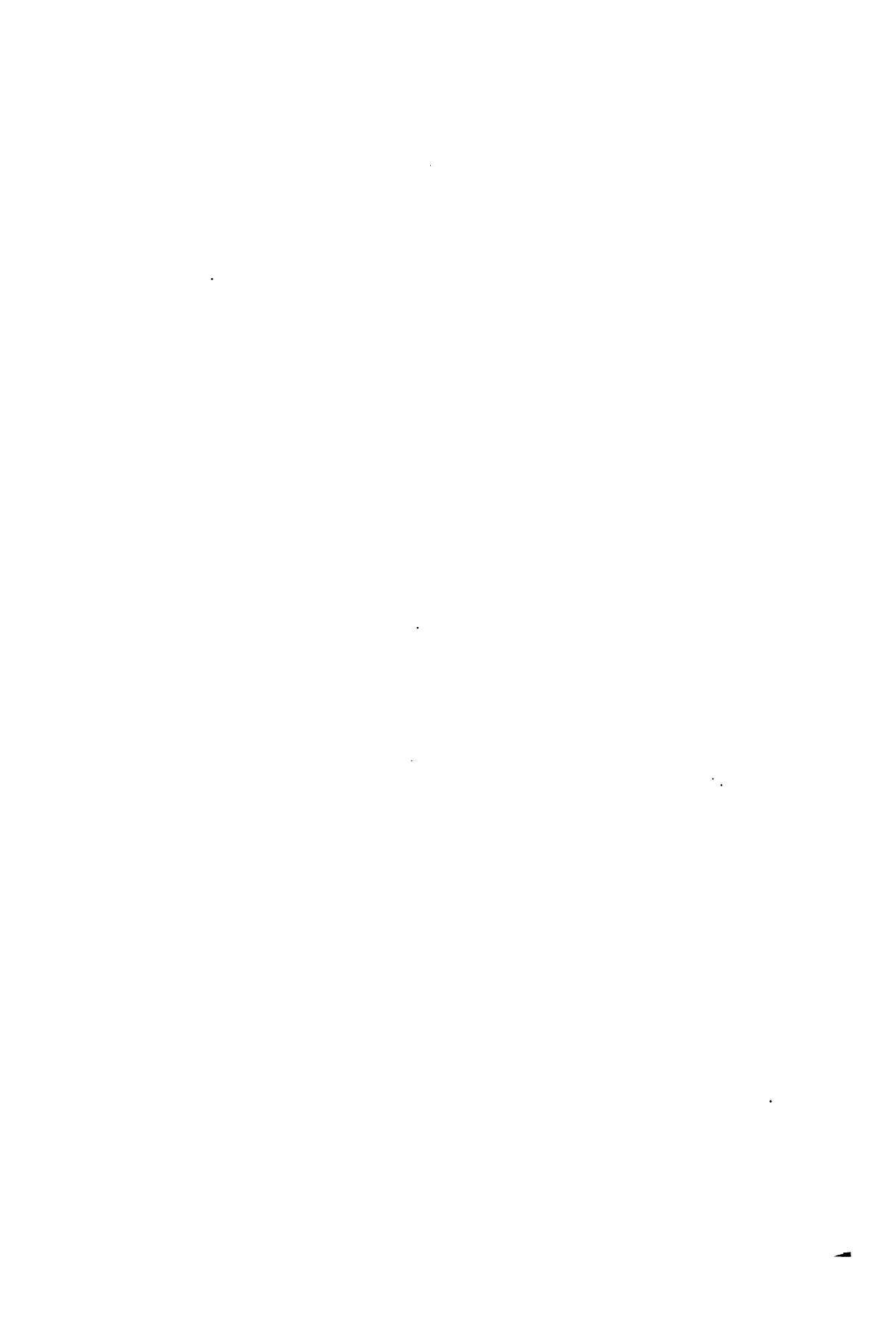
Presidents of the Association—Thomas J. Devine, San Antonio, 1882; T. N. Waul, Galveston, 1882-3; J. H. McLeary, San Antonio, 1883-4; B. H. Bassett, Brenham, 1884-5; A. J. Peeler, Austin, 1885-6; T. J. Beall, El Paso, 1886-7; W. L. Crawford, Dallas, 1887-8; F. Charles Hume, Galveston, 1888-9; H. W. Lightfoot, Paris, 1889-90; Norman

G. Kittrell, Houston, 1890-1; Seth Shepard, Dallas, 1891-2; John N. Henderson, Bryan, 1892-3; S. C. Padelford, Cleburne, 1893-4; Thomas H. Franklin, San Antonio, 1894-5; William L. Prather, Waco, 1895-6; William H. Clark, Dallas, 1896-7; William Aubrey, San Antonio, 1897-8; Frank C. Dillard, Sherman, 1898-9; Presley K. Ewing, Houston, 1899-00; M. A. Spoons, Fort Worth, 1900-01; James B. Stubbs, Galveston, 1901-02; Lewis R. Bryan, Houston, 1902-03.

Annual Addresses—1883: Mr. Richard S. Walker, of Austin, "The Bench and Bar in the Early Days of Texas;" 1884: Mr. B. H. Bassett, of Brenham, "The Lawyer as a Citizen;" 1886: Mr. Sawnie Robertson, of Dallas, "The Death of Chancery;" 1887: Mr. C. C. Garrett, of Brenham, "Conflict Between State and Federal Courts as to Jurisdiction of the Former Over Nonresidents;" 1888: Mr. F. Charles Hume, Esq., of Galveston, "Execution Process, Should the Legislature Extend It?" 1889: Mr. S. B. Maxey, of Paris, "The Federal Constitution;" 1893: Mr. Thomas H. Franklin, of San Antonio, "Judicial Centralization;" 1894: Mr. B. D. Tarleton, of Fort Worth, "Some Reflections on the Relations of Capital and Labor;" 1895: Mr. O. M. Roberts, of Austin, "The Right and Duty of Coinage by the United States;" 1896: Mr. Seymour D. Thompson, of Missouri, "Government by Lawyers;" 1897: Mr. N. W. Finley, of Dallas, "Trusts, Combinations and Conspiracies in Restraint of Trade;" 1898: Mr. Sam J. Hunter, of Fort Worth, "Life Tenures of Office in a Republican Government;" 1899: Mr. F. Charles Hume, of Galveston, "The Supreme Court of the United States;" 1900: Mr. William Wirt Howe, of New Orleans, "Roman and Civil Law in the Three Americas."

Papers Read—1883: Mr. A. J. Peeler, of Austin, "Rights of Land Owners in Texas to Protection Against Governmental and Individual Aggression in the Use and Enjoyment of Their Property;" 1883: Mr. Robert G. Street, of Galveston, "Texas Pleadings;" 1884: Mr. O. M. Roberts, of Austin, "Legal Education and Admission to the Bar;" 1889: Mr. O. M. Roberts, of Austin, "Law and Pleading;" 1890: Mr. B. H. Bassett, of Dallas, "The Model Brief;" 1891: Mr. J. M. Avery, of Dallas, "Liability of an Organizer of a Corporation for Its Acts;" 1892: Mr. C. C. Garrett, of Brenham, "Limitation of Actions When There is a Trustee Authorized to Sue;" 1892: Mr. S. C. Padelford, of Cleburne, "Government;" 1893: Mr. H. Teichmueller, of La Grange, "The Homestead Law;" 1893: Mr. T. S. Reese, of Hempstead, "Criminal Law;" 1893: Mr. John G. Winter of Waco, "Community Law;" 1893: Mr. Richard Morgan, of Dallas, "Receiverships;" 1893: Mr. James C. Scott, of Fort Worth, "Private Corporations;" 1894: Mr. E. B. Perkins, of Greenville, "The Statutory Craze;" 1894: Mr. Robert G. Street, of Galveston, "Medical Jurisprudence;" 1894: Mr. Edwin Hobby, of Houston, "The Legal Profession, Its Value, Importance and Influence;" 1894: Mr. Charles S. Todd, of Texarkana, "Assignments for the Benefit of Creditors;" 1894: Mr. Norman G. Kittrell, of Houston, "The Criminal Law of Texas and Its Administration;" 1894: Mr. T. H. Conner, of

Eastland, "Juries and Jury Trials;" 1894: Mr. T. F. Harwood, of Gonzales, "The Respect Due by Members of the Bar to the Judiciary;" 1895: Mr. George W. Davis, of Dallas, "Texas Pleadings;" 1895: Mr. Wm. H. Clark, of Dallas, "Deeds of Trust Preferring Creditors;" 1895: Mr. John G. Tod, of Houston, "Administration of Community Property by the Survivor;" 1895: Mr. R. L. Batts, of the University of Texas, "Some Reflections Concerning Legal Education;" 1896: Mr. E. J. Simkins, of Dallas, "Proper Subjects of Legislation;" 1896: Mr. F. W. Ball, of Fort Worth, "A Desultory Denunciation of Texas Law and Procedure;" 1896: Mr. H. Teichmueller, of La Grange, "Judge and Jury;" 1896: Mr. A. E. Wilkinson, of Denison, "A Review of Some Recent Noteworthy Decisions by the Higher Courts of Texas;" 1896: Mr. John Dowell, of Austin, "The Symbolism of Commerce—Trade Mark;" 1897: Mr. Leroy G. Denman, of San Antonio, "Our Present Judicial System, its Advantages and Defects;" 1897: Mr. Joseph Spence, Jr., of San Angelo, "A Review of Recent Noteworthy Decisions of the Higher Courts of Texas;" 1897: Mr. M. A. Spoonts, of Fort Worth, "A Divided Allegiance;" 1897: Mr. Presley K. Ewing, of Houston, "The De Facto Wife;" 1897: Mr. Wm. Aubrey, of San Antonio, "Mob Law;" 1897: Mr. B. R. Webb, of Fort Worth, "Some Needed Reforms in Our Real Estate Laws;" 1898: Mr. Norman G. Kittrell, of Houston, "Needed Reforms in the Assessment and Collection of Taxes;" 1898: Mr. George E. Miller, of Wichita Falls, "Some Features of the Uniform Bankruptcy Law;" 1898: Mr. Jonathan Lane, of La Grange, "Our Courts;" 1898: Mr. W. A. Kincaid, of Galveston, "In the Known Certainty of the Law is the Safety of All;" 1898: Mr. B. R. Webb, of Fort Worth, "A Review of Recent Noteworthy Decisions of the Higher Courts of Texas;" 1899: Mr. T. S. Reese, of Houston, "A Plea for Exactness and Certainty in the Law;" 1899: Mr. Edward F. Harris, of Galveston, "Some Recent Noteworthy Decisions in Civil Cases by the Higher Courts of Texas;" 1899: Mr. W. C. Wear, of Hillsboro, "Admission to the Bar;" 1899: Mr. Philip Lindsley, "Humorous Report of Annual Meeting of the Tennessee State Bar Association;" 1900: Mr. J. B. Dibrell, of Seguin, "The Legislative Function;" 1900: Mr. J. A. Holland, of Orange, "The White Man's Burden, from a Legal Standpoint;" 1900: Mr. A. E. Wilkinson, of Austin, "Law and Literature;" 1900: Mr. Edwin B. Parker, of Houston, "Anti-Railroad Personal Injury Litigation in Texas;" 1901: Mr. John G. Tod, of Houston, "Recent Noteworthy Decisions of the Texas Courts;" 1901: Mr. Norman G. Kittrell, of Houston, "The Barker Case;" 1902: Mr. Maco Stewart, of Galveston, "The Story of a Land Title;" 1902: Mr. John Charles Harris, of Houston, "Trial by Jury in Civil Causes;" 1902: Mr. Yancey Lewis, of the University of Texas, "The Rights of Riparian Owners in the Matter of Irrigation."





B. M. HOWARD.

B. M. HOWARD.

This distinguished educator died of consumption at Santa Rosa sanitarium, San Antonio, March 29, 1903. The remains were shipped to Waxahachie where, on April 3d, the funeral took place. Mr. Howard had been superintendent of the public schools of Waxahachie and had made many friends while in that position, and the public schools on this occasion closed out of respect to his memory.

He was born at Henderson, Texas, December 2, 1860, and was educated in the public schools of that city. The young man managed to pay for the expenses connected with getting his education out of his own hard earnings saved for that purpose. At the age of 18, after a competitive examination, he obtained an appointment from Governor Roberts to a scholarship at the Sam Houston Normal Institute. In 1882, about the time of attaining the legal age of manhood he graduated with the highest honors.

Mr. Howard's first superintendency of public schools was at Mineola, where the writer made his acquaintance and learned to esteem him for his virtues. He was later superintendent of the public schools at Temple and organized the public schools at Hillsboro. At the time of his death Mr. Howard was general agent of the University Publishing Co., to which place he had been appointed in 1886. These various positions of honor and trust Mr. Howard filled with credit and acceptability.

On December 2, 1890, he married, in Dallas, Mrs. C. R. Carrick, who, who, with two children, Dr. M. M. Carrick and Miss Eva Carrick, survive him. A brother teacher has this to say of him: "As teacher, as business man, as husband, as father, he lived upon a high plane, and to know him was to love him." [C. W. R.]

CAUSES OF THE TEXAS REVOLUTION.

[Address before the Old Settlers Reunion at Belton September 4, 1903, by C. W. Raines, State Librarian, in response to an invitation extended by Col. Geo. W. Tyler, President of the "Old Settlers Association of Bell County."]

After some preliminary and complimentary remarks on the old settlers of Texas and their descendants, the speaker reached his subject, and said:

"Under the constitution of 1824, Texas was temporarily united to the State of Coahuila and the joint State was called Coahuila y Texas. This union, however, was to continue only till Texas should possess within herself the elements of a single State. In the opinion of the Texans that time for separation had fully come in 1832. Besides, it was

clear that the welfare of Texas had been neglected or sacrificed to the supposed more important interest of Coahuila.

"In tracing the causes of the Texas Revolution must be considered the proceedings of three notable assemblies of representative men. The first of these was the political convention that met at San Felipe de Austin in April, 1833. Among its distinguished members were the president, Wm. H. Wharton, Austin, Dr. Archer, Bowie, Burnet, and Sam Houston, who on this occasion made his debut before the Texas public. The main object of this meeting was to petition the Federal Congress at the capital for redress of real grievances. Accordingly Burnet reported an able memorial to Congress for the separation of Texas from Coahuila and her admission as a single State into the Federal Union, and also for the repeal of the law of the 6th of April, 1830, inhibiting further immigration from the United States; and for the modification of the tariff. Sam Houston reported an admirable constitution for the inchoate State. Both documents were adopted by the convention and sent to the authorities in the City of Mexico by the hands of Stephen F. Austin.

"Santa Anna was then plotting the subversion of the Federal system and the overthrow of the State governments, and logically ignored the application of Texas for Statehood, the main object of the memorial. After a detention of nearly two years—a part of the time a prisoner—in Mexico, Austin was allowed to return home. Meanwhile Santa Anna had succeeded in destroying the constitution of 1824 and in erecting a central despotism on the ruins of the Federal system. The State of Zacatecas resisted by force Santa Anna's usurpations, in May, 1835, but overwhelmed by superior numbers she was beaten in battle and subjugated by the minions of the dictator. Other Mexican States were intimidated by a display of force, and next the Congress of the joint State of Coahuila and Texas was dispersed by central bayonets and the fugitive government took refuge in Texas. Finally the central system was proclaimed in Texas, reducing the States to provinces whose governors were appointed by Santa Anna. Our best citizens, including such men as Zavala, Travis, et al., were proscribed and ordered arrested with a view to transportation to Mexico for trial. The policy of disarming the people (even in the face of hostile Indians), had already begun when the affair of the cannon at Gonzales, October 1, 1835, brought on an armed collision between our citizens and the minions of Santa Anna.

"Early in September Austin had arrived in Texas and repaired at once to San Felipe to direct the movements of the central executive committee. As the head of the Anglo-American authority, he was cool and collected, and he had by his own equipoise restrained the impatience of his countrymen till the supreme moment for action had arrived. It had come in the forcible attempt of the Mexican soldiery to wrest the cannon from the settlers of Gonzales which had been left in their hands as a protection against hostile Indians.

"Austin at once accepted the collision as the declaration and beginning of war and dispatched fleet couriers everywhere with the news and

his call to arms. Sam Houston responded promptly with troops from the department of Nacogdoches, and the Texan forces were soon concentrating in the Southwest with a view of attacking San Antonio de Bexar.

"Concurrently with this military mobilization the second great assembly, called the general consultation, convened at San Felipe de Austin, the capital city of American settlement in Texas. Dr. Archer, the president, in taking his seat, made a most felicitous speech. John A. Wharton was perhaps the most active member. Austin and Houston were both members-elect. Austin left his seat in the consultation to head the army operating against Bexar, while General Houston left his troops before Bexar to take his seat in the consultation, and thereby secured the position of major general of the armies of Texas. In a short time Austin returned to the more congenial pursuits of civil life. To meet the crisis the consultation, after due deliberation, passed, on November 7, 1835, this declaration of causes for resorting to arms, with the preamble as follows:

"Whereas Gen. Antonio Lopez de Santa Anna and other military chieftains have, by force of arms, overthrown the Federal institutions of Mexico and dissolved the social compact which existed between Texas and the other members of the Mexican confederacy; now the good people of Texas, availing themselves of their natural rights, solemnly declare,

"First—That they have taken up arms in defense of their rights and liberties, which were threatened by the encroachments of military despots, and in defense of the republican principles of the Federal constitution of Mexico of 1824.

"Second—That Texas is no longer, morally or civilly bound by the compact of union; yet stimulated by the generosity and sympathy common to a free people, they offer their support and assistance to such of the members of the Mexican Confederacy as will take up arms against military despotism.

"Third—That they do not acknowledge that the present authorities of the nominal Mexican Republic have the right to govern within the limits of Texas.

"Fourth—That they will not cease to carry on war against the said authorities, whilst their troops are within the limits of Texas.

"Fifth—That they hold it to be their right during the disorganization of the Federal system, and the reign of despotism, to withdraw from the Union, to establish an independent government, or to adopt such measures as they may deem best calculated to protect their rights and liberties; but that they will continue faithful to the Mexican government so long as that nation is governed by the constitution and laws that were formed for the government of the political association.

"Sixth—That Texas is responsible for the expenses of her armies now in the field.

"Seventh—That the public faith of Texas is pledged for the payment of any debts contracted by her agents.

"Eighth—That she will reward by donations in land, all who volunteer their services in her present struggle, and receive them as citizens.

"These declarations we solemnly avow to the world, and call God to witness their truth and sincerity; and invoke defeat and disgrace upon our heads, should we prove guilty of duplicity."

"The above paper was prepared and offered by John A. Wharton, later on called by Burnet the keenest blade at San Jacinto. Sam Houston favored by resolution the constitution of 1824, but withdrew it on request of Wharton, and supported the above. It carried by a vote of 33 to 15 in favor of independence.

"The consultation then organized a provisional government with a governor and lieutenant governor elected by the body, and a general council to consist of one member from each municipality to be elected by the majority of each separate delegation present. Before adjournment of the body, Henry Smith was elected governor and J. W. Robinson, lieutenant governor, and Sam Houston elected major general of the armies of Texas.

"From the above declaration Texas was bound to lend support and assistance to such members of the Mexican Confederacy as will take up arms against military despotism. Thus the war that Texas was waging was in defense of the constitution of 1824, co-operating with other Mexican States in the same cause.

"Austin having been appointed one of the commissioners to the United States, the army of the people under Gen. Ed. Burleson succeeded, contrary to the military judgment of General Houston, in taking Bexar. The flushed victors were then eager for a forward movement on the Rio Grande to secure, if possible, the co-operation of other Mexican States in the cause of federalism, or at all events to engage the enemy on the border. On this contemplated advance the provisional government became hopelessly divided, the council favoring, and Gov. Smith and General Houston opposing it. The opposing forces checkmated each other and nothing effective was done to resist the well heralded advance of Santa Anna. So the storm of Mexican invasion struck Texas early in 1836 without preparation. The only obstacles to the invaders' progress were the isolated outposts of the Alamo and Goliad, and their commanders were without instructions or orders from General Houston whether to retreat or hold their forts till reinforced.

"The hope of getting the co-operation of other Mexican States in the fight for the constitution of 1824 had not been realized. On the contrary, under the dictatorship of Santa Anna, all Mexico for some time had been pitted against Texas. Under such circumstances Austin and Houston advised the declaration of absolute independence for Texas early in January, 1836. For this purpose the plenary convention met in Washington, on the Brazos, March 1, 1836. This was the third of the three great assemblies whose successive acts led to the declaration of the independence of Texas. Richard Ellis was the president. Its most distinguished members were Lorenzo de Zavala, Houston and Bur-

net. But Thos. J. Rusk, just coming on the stage as a statesman, was easily the master spirit of the convention. He was the author of the bill that saved the cause of independence by calling out the military strength of Texas.

"George C. Childress, member from Milam, reported the following declaration of independence:

"When a government has ceased to protect the lives, liberty and property of the people, from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted, and so far from being a guarantee for their inestimable and inalienable rights, becomes an instrument in the hands of evil rulers, for their oppression. When the Federal republican constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed without their consent, from a restricted federative republic, composed of sovereign States, to a consolidated military despotism, in which every interest is disregarded but that of the army and the priesthood, both the eternal enemies of civil liberty, the ever ready minions of power, and the usual instruments of tyrants. When long after the spirit of the constitution has departed, moderation is at length so far lost by those in power, that even the semblance of freedom is removed, and the forms themselves of the constitution discontinued, and so far from their petitions and remonstrances being regarded, the agents who bear them are thrown into dungeons, and mercenary armies sent forth to enforce a new government upon them at the point of the bayonet.

"When in consequence of such acts of malfeasance and abdication on the part of the government, anarchy prevails and civil society is dissolved into its original elements—in such a crisis, the first law of nature, the right of self-preservation, the inherent and inalienable right of the people to appeal to first principles, and take their political affairs into their own hands in extreme cases, enjoins it as a right towards themselves, and a sacred obligation to their posterity, to abolish such government and create another in its stead, calculated to rescue them from impending dangers and to secure their welfare and happiness.

"Nations as well as individuals, are amenable for their acts to the general opinion of mankind. A statement of a part of our grievances is therefore submitted to an impartial world, in justification of the hazardous but unavoidable step now taken, of severing our political connection with the Mexican people, and assuming an independent attitude among the nations of the earth.

"The Mexican government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness under the pledged faith of a written constitution, that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of its birth, the United States of America.

"In this expectation they have been cruelly disappointed inasmuch as the Mexican nation has acquiesced in the late changes made in the government by Gen. Antonio Lopez de Santa Anna who, having overthrown the constitution of his country, now offers to us the cruel alternatives, either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

"It hath sacrificed our welfare to the State of Coahuila, by which our interests have been continually depressed through a jealous and partial course of legislation, carried on at a far distant seat of government, by a hostile majority, in an unknown tongue, and this, too, notwithstanding we have petitioned in the most humble terms for the establishment of a separate State government, and have, in accordance with the provisions of the national constitution, presented to the general Congress a republican constitution, which was without just cause, contemptuously rejected.

"It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a State government.

"It has failed and refused to secure, on a firm basis, the right of trial by jury, that palladium of civil liberty, and only safe guarantee for the life, liberty and the property of the citizen.

"It has failed to establish any public system of education, although possessed of almost boundless resources (the public domain), and, although it is an axiom in political science, that unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty, or the capacity for self-government.

"It has suffered the military commandants, stationed among us, to exercise arbitrary acts of oppression and tyranny, thus trampling upon the most sacred rights of the citizen, and rendering the military superior to the civil power.

"It has dissolved by force of arms, the State Congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government, thus depriving us of the fundamental political right of representation.

"It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the interior for trial, in contempt of the civil authorities, and in defiance of the laws and constitution.

"It has made piratical attacks upon our commerce by commissioning foreign desperadoes, and authorizing them to seize our vessels, and convey the property of our citizens to far distant ports for confiscation.

"It denies us the right of worshipping the Almighty according to the dictates of our own conscience, by the support of a national religion, calculated to promote the temporal interests of its human functionaries, rather than the glory of the true and living God.

"It has demanded us to deliver up our arms, which are essential to our defense—the rightful property of freemen—and formidable only to tyrannical governments.

"It has invaded our country both by sea and land, with the intent to lay waste our territory, and drive us from our homes; and has now a large mercenary army advancing to carry on against us a war of extermination.

"It has, through its emissaries, incited the merciless savage with the tomahawk and scalping knife, to massacre the inhabitants of our defenseless frontiers.

"It has been during the whole time of our connection with it, the contemptible sport and victim of successive military revolutions and hath continually exhibited every characteristic of a weak, corrupt, and tyrannical government.

"These, and other grievances, were patiently borne by the people of Texas until they reached that point at which forbearance ceased to be a virtue. We then took up arms in defense of the national constitution. We appealed to our Mexican brethren for assistance; our appeal has been made in vain; though months have elapsed, no sympathetic response has yet been heard from the interior. We are therefore forced to the melancholy conclusion, that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefor of a military government; that they are unfit to be free, and incapable of self-government. The necessity of self-preservation, therefore, now decrees our eternal political separation.

"We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare, that our political connection with the Mexican nation has forever ended, and that the people of Texas do now constitute a Free, Sovereign, and Independent Republic, and are fully invested with all the rights and attributes which properly belong to independent nations; and conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the Supreme Arbiter of the destinies of nations.

"In witness whereof we have hereunto subscribed our names.

"RICHARD ELLIS."¹

REVIEW OF CAUSES.

"In summing up the causes of the revolution, we find that the main cause of complaint in the convention of 1833 against further connection of Texas with Coahuila was unheeded by the Congress, and Texas was denied admission as a separate State in the Mexican Confederacy. The concessions as to American immigration and other matters of the memorial did not allay the discontent.

¹ For other signers of the declaration, and lists of members of the Consultation and Plenary Convention, see "Year Book for Texas," vol. 1.

"Before these concessions went into effect the consultation of 1835 had a new cause of complaint. It was against Santa Anna this time, for overthrowing the constitution of 1824 and establishing a military dictatorship for himself. In defense of this constitution, Texas took up arms, and by a brilliant campaign, drove every Mexican soldier across the Rio Grande. When the Texans realized the fact that, as far as other Mexican States were concerned, they must fight single-handed and alone, the whole military power of Mexico, they made an absolute declaration of independence, setting out their complaints in detail, 'appealing to a candid world and committing the issues to the Supreme Arbiter of the destinies of nations.'"

ADDISON CLARK.¹

Addison Clark, Jr., was born in Fort Worth, Texas, October 14, 1872, and died at Weatherford, Texas, July 5, 1903.

He was educated at Add Ran College and Michigan University, taking the A. B. degree from each. Having graduated from Add Ran when only 17 years of age, he spent one year as stenographer and typewriter with a real estate firm in Dallas. After this he took charge of a school in the country near Thorp's Spring, and though only 18 years of age, he managed and taught the school as though he had years of experience. The next year, before he was 20, he was elected president of Greenwood College, in Wise county. After occupying this position for one year, he entered Michigan University at Ann Arbor, and graduated from that institution after two years of study. During the two summer vacations, while attending the university, he taught in a normal at Bear Lake, Mich.

He was elected principal of the Marfa public schools in the fall of 1895, which position he held one year, and was then elected to the chair of English and History in Add Ran University, at Waco, Texas. This position he held for nearly three years, resigning a couple of months before the close of his third year. Every one of his fellow teachers, and every pupil that came under his instruction during his connection with the university, will bear testimony to the fact of his being one of the most thorough and competent teachers of the school. Having the work of two regular professors of the older universities, and being very ambitious to do his work the very best, he gave himself but little rest day or night from his college duties. After resigning from Add Ran he was elected superintendent of Rockport schools. He took this work hoping to have more time for the literary work in which he delighted

¹ Article contributed to the "Year Book" by a friend, in compliance with a special request for its preparation.

and for which he had made excellent preparation. But the duties of a public school superintendent with full amount of teaching, left but little time for the pursuit of his literary work, and at the close of the session he gave up teaching entirely and applied himself assiduously to literary and editorial work. Many of his essays, stories and poems appeared in some of the leading magazines and newspapers. His style of writing was clear, epigrammatic and beautiful. During his occupancy of the editor's chair of the Waco Review he made himself felt as a writer of unusual ability, and as a man of pronounced and well fixed views on all matters of municipal purity and wise economy.

He gave up his editorial work in Waco, February, 1903, and accepted the position of editor of the Brand, a very promising and prosperous newspaper published at Hereford, Texas. Exposure to very severe weather and overwork brought on a disease, against which he battled for two months before he would quit his work. Finally he was forced to give up work and come home. For three months he battled with hope against hope, with as brave a heart and calm as ever beat in a hero's bosom, with best of nurses, a loving mother, and having the best of medical aid that could be procured, and then surrendered without one tremor or fear, regretting only that he could not live to carry out the great promise and purpose of his life.

AUSTINIANA.**AUSTIN'S COMMISSION AS ADJUTANT OF THE TENTH REGIMENT,
MISSOURI MILITIA.**

WILLIAM CLARK,

Governor of the Territory of Missouri and Commander in Chief of the
Militia Thereof,

To all who shall see these presents, greeting:

Know ye, that reposing special trust and confidence in the patriotism, valour, fidelity and abilities of *Stephen F. Austin*, I have appointed him Adjutant of the Tenth Regiment of Militia. He is therefore carefully and diligently to discharge the duty of Adjutant by doing and performing all manner of things thereunto belonging, and I do strictly charge and require all officers and soldiers under his command to be obedient to his orders as Adjutant and he is to obey such orders and directions from time to time, as he shall receive from his superior officers. This commission to continue in force during the pleasure of the Governor of the Territory.

In testimony whereof I have caused the seal of the Territory to be hereunto affixed.

Given under my hand at St. Louis the 24th day of January, in the year of our Lord, one thousand eight hundred and fifteen and of the independence of the United States the thirty-ninth.

WM. CLARK.

By the governor.

FREDERICK BATES, Sec. of Missouri Ter.

AUSTIN'S COMMISSION AS JUDGE IN THE TERRITORY OF ARKANSAW.

JAMES, MILLER,

Governor of the Territory of Arkansaw,

To all to whom these presents shall come, greeting:

Know ye, that reposing especial trust and confidence in the integrity and abilities of Stephen F. Austin, I do hereby appoint and commission him Judge in and for the First Judicial Circuit of the Territory. To have and to hold the said office of Judge, together with all the profits and emoluments thereunto belonging, for the term of three years unless sooner removed by the Governor.

In testimony whereof I have hereunto set my hand and caused the private seal of the Territory to be affixed at the Secretary's office at the Post of Arkansaw, this 10th day of July, 1820, and of the independence, the 45th.

[L. S.]

JAMES MILLER.

By the Governor.

Robt. Crittenden, Secretary.

Territory of Arkansaw.

I, Andrew Scott, Judge of the Superior Court in and for the said Territory, do certify that Stephen F. Austin personally appeared before me and took an oath to support the Constitution of the U. S. and further, an oath to perform the duties appertaining to the office of Circuit Judge to the best of his abilities.

Given under my hand this 11th day of July, 1820.

ANDREW SCOTT.

AUSTIN'S REPORT TO THE COMMITTEE AT SAN FELIPE.

Camp Salado, Oct. 26, 1835.

I shall move with the army today to the Missions and press the operations as fast as my force will permit. I have but 400 effective men. Gen. Cos has about 800 or 900, and is well fortified. We need reinforcements. I shall persevere here. My health is very bad. There has been skirmishing dayly, but no loss on our side.

Yours respectfully,

S. F. AUSTIN.

The members of the convention except the com'r. and his staff leave here today to hold the convention on the 1st Nov. or soon as they get a quorum.

S. F. AUSTIN.¹

To the committee, San Felipe.

AUSTIN TO BOWIE.

Headquarters on the Canal Above Bexar, Oct. 31, 1835.

To Col. James Bowie and Capt. Fanning:

I have taken a position on the Alamo Canal at the mouth of a dry gully about one mile from town. There is one, a little nearer, but it can not be occupied today. I have certain information that all the surplus horses except about 150 or 200 were started to Laredo last night. The number that left is reported at 900 head. The escort does not exceed twenty or thirty men. I have dispatched Capt. Travis with fifty men to overtake and capture them. He has good guides and I have no doubt will succeed.

I have to inform you that a servant of Antonio de la Garza came into camp today bringing a proposition from the greater part of the S. Fernando company of cavalry and the one of Rio Grande, to desert. This man was sent to procure a guarantee for them, when they came out. I have given the guarantee and have now to communicate to you the mode in which they will come out to us—when. He says they will be obliged

¹ Austin was a member-elect of the Consultation, but before taking his seat was called to the command of the army at Gonzales just before it marched on Bexar. Houston was one of the members-elect of the Consultation visiting the army. He had given up his command of the East Texas troops to take a seat in the Consultation, which organized on November 8, 1835.—C. W. R.

to come in the daytime, upon some occasion of alarm, when they are ordered out. These troops are stationed in the house of Padilla in one of the lower labors, which Col. Bowie understands the situation of. It would be well for you tomorrow to make a diversion on that side, so as to produce the necessary stir, so that they may be ordered out, and thus give these men the chance to come out as it were on duty and then escape. They will present themselves with the breech of their guns advanced or a white flag. Padilla has many acquaintances in those companies who sent in Garza's servant (Jose Ortiz) to have an understanding with him as to the guarantees and the mode of joining us.

In regard to the measure of harassing the enemy tonight as was spoken of before we parted, by simultaneous firing on the town, I have to say that I am obliged to decline it, owing partly to the condition of the men here at present having lost so much sleep last night, and partly to the difficulty of crossing the river from here, so as to co-operate in union with the men on foot. As you will make a diversion tomorrow for the purpose of bringing out the deserters, you will therefore decline anything of the kind tonight unless you think it better to proceed on your part. If you think so, you can act as you think best, in that respect, but without expecting any co-operation from this quarter, for the reason I have mentioned. I will, however, mention that a few men from here may probably fire on the Alamo, which you know is on this side of the river about moon down.

As there is abundance of corn here, you can use that brought by Seguin for your detachment.

I wish you to send to Seguin's Ranch for some rockets that are there—2 or 3 dozen. In Spanish they are called quetes, pronounced quates—we may want them.

Please to give me your opinions and those of your officers as to the mode of further operation on the enemy.

S. F. AUSTIN.

By order W. D. C. Hall, Adjutant General.

Dispatch the bearer with your answer tonight as soon possible.

S. F. A.

I wish your opinions as to storming or besieging.

S. F. AUSTIN.

AUSTIN TO BOWIE.

Headquarters, November 1, 1835.

To Col. James Bowie and Capt. Fanning:

Your communication of this morning was received and is satisfactory in every respect, to myself and all others. I sent in a demand today for a surrender. Gen. Cos stated that his duty would not permit him to receive any official communication and of course it was returned unopened. He in a short time after sent out Padre Garza with a flag to say to me verbally that he had absolute orders from his government to

fortify Bexar and hold it at all hazards and that as a military man his honor and duty required obedience to these orders, and that he would defend the place until he died, if he had only ten men left with him.

This is all that passed between us. I approached on this side today, within cannon shot. They fired four at us—one ball that passed over our heads and one of grape fell in the lines, but fortunately injured no one.

From every information the fortifications are much stronger than has been supposed and the difficulty of storming of course much greater. The system of alarm will be kept up as much as possible night and day and the place invested as closely as practicable. For this purpose I expect to station the Adjutant General with a competent force at the old mill, a short distance from town.

I have no information yet of Travis. A report reached camp this afternoon through a person from Bexar that an express had just been received there, stating that Savarigo had escaped from S. Felipe and had reached the Irish on the Nueces, and in union with the troops at that place had attacked Goliad. It is, however, only a report.

The enclosed paper is from a confidential source. I had forgotten to mention that the Adjutant General made a demonstration on the other side with a detachment.

S. F. AUSTIN.

Since the within was written I have received yours of this afternoon.

The forces are not so unequally divided as appears at first view—Travis is constantly out on some extra duty; he is now out. I expect him tonight and must then send him to escort the cannon. I wish to occupy the mill and another position. Our prisoners are daily increasing and require a strong guard. However, as equal a division will be made as is compatible with the service. We have many sick. Everything will be done on our part possible for the service and to keep up harmony.

Our position here is far from being a strong one. We have no bank for defense. A good position can not be found without going too far off. I submit these matters to your calm judgment. It is known that headquarters are here and the main attack will be here if any is made. I have just heard from Travis. He will not be with us till late tomorrow.

S. F. AUSTIN.

COUNCIL OF WAR.

Headquarters, Nov. 2, 1835.

At a council of war called on this morning consisting of Gen. S. F. Austin, Commander in Chief, Col. Warren D. C. Hall, Adj't. Gen., Col. John H. Moore, Lieut. Col. Burleson, Maj. Wm. H. Jack, Col. Patrick Jack, Quartermaster Gen. Maj. Somerville, Maj. Benj. Ft. Smith, Capt. Caldwell, Capt. Ebberly, Capt. Bennett, Capt. Swetcher, Capt. Bird, Capt. Goheen, Capt. John Alley, Capt. Nail, Lieut. Aldridge, Lieut. Splan, Lieut Hassell, Lieut. Barnett, Lieut. Money, Lieut. Hunt, Lieut. Pevey, Lieut. Stapp, Lieut. Hinsley and Lieut. Dickerson.

The object of the call of the council being explained by the commander-in-chief to be to have the opinion and determination of the officers in regard to the best measures of immediate operation on the enemy, whether by close investment simply or by storm.

After much conversation and discussion it was proposed by Maj. Wm. H. Jack that the question be directly put to the council whether a storm would or would not be expedient at the present moment.

All the information in possession of the commander-in-chief in regard to the state of fortifications in Bexar being submitted, the question was accordingly put by the commander-in-chief and the same was decided in the negative by all the officers present with the exception of Maj. Benj. Fort Smith, who said in substance that in his opinion the town ought to be *taken immediately*.

It was then decided unanimously by the council that positions should be taken for the army at present as would best secure it from the cannon shot of the enemy and enable it at the same time to carry on offensive operations whilst we are waiting for the large cannon (18 pounders) and additional reinforcements.

S. F. AUSTIN.

INSTRUCTIONS TO THE COMMISSIONERS TO THE UNITED STATES.

To the Honorable, The Agents of the People of Texas, Stephen F. Austin, Branch T. Archer, and William H. Wharton, Esqrs.

Gentlemen:

The following will be handed you as your private instructions on the part of the Government of Texas.

You will proceed direct to the United States of the North with the least possible delay and enter the same by way of New Orleans.

Your first object there will be to procure and fit out from that or any other city the contemplated armed vessels calculated for the protection of our commerce and sea coast. They should be well officered and manned and provided for from four to six months cruise. They should be directed to proceed direct to Galveston Bay or Brazos, report to the authorities, receive commissions with orders for their government.

2. To see that the necessary arrangements are made for the procuration of provisions, arms, and munitions of war, and that they meet with safe despatch.

3. Should Thomas F. McKinney fail to contract a loan of one hundred thousand dollars in the city of New Orleans, or elsewhere, as he has been commissioned to do, you will, if possible, proceed to effect it for the immediate use of the government on the best terms that you can, and arrange, if necessary, that it be refunded from the first permanent loan made for this government.

4. You will receive all moneys proffered as donations, and all con-

tracted for as loans and deposit them in the banks contemplated by law, and have the same entered to the credit of the government of Texas, and subject alone to its orders—which orders or checks shall be drawn in favor of the Treasurer, signed by the President of the Council and attested by his secretary and also approved by the Governor and attested by his secretary. Checks to some extent might be negotiated here through our merchants and indorsed in their favor. You will also receive donations of every description tendered by the patriotic; and forward them as circumstances may direct with advices of the same.

Finally, you will proceed to the city of Washington with all convenient speed endeavoring at all points to enlist the sympathies of the free and enlightened people of the United States in our favor by explaining to them our true political situation and the causes which impelled us to take up arms; and the critical situation in which we now stand. You will approach the authorities of our Mother Country, either by yourselves, or confidential friends, and ascertain the feelings of the government towards Texas, in her present attitude, whether any interposition on the part of that government in our favor can be expected, or whether in their opinion any ulterior move on our part would to them be more commendable and be calculated to render us more worthy of their favor, or whether, by any fair and honorable means, Texas can become a member of that Republic. If not, if we declare independence, whether that government would immediately recognize and respect us as an independent people, receive us as allies, and form with us a treaty of amity both offensive and defensive. If all should fail on the part of the government, or a refusal to intermeddle in our difficulty, you will immediately notify this government whether good or bad, of your success, and govern yourselves accordingly. On the failure of success with the government, you will redouble your energies in arousing the sympathies of the patriotic citizens of the North to rally to our assistance. You will correspond with this government regularly and keep it advised of all the movements you make connected with your mission. You will appoint in New Orleans a faithful agent to attend to the prompt forwarding of your letters. You will write in duplicate and order one to be forwarded by the land mail by way of Fort Jessup, and the other by water, or if circumstances should require, by different mails by land. You will use the following address, To His Excellency Smith, Governor of Texas, Seat of Government—Texas; or if any change should be necessary, you will be notified. Your letters from this government will be put under the proper address, directed to the city of Washington, United States, where you will have an agent to forward them to any point which you may please to direct. A majority of you will consult and concur in all important matters relative to your mission. You will receive from this government advices from time to time respecting your duties as agents in their behalf.

You will be expected to remain there until recalled or until circumstances shall direct your return to the bosom of your fellow citizens.

With sentiments of the highest respect and consideration, I am, gentlemen, your obedient servant,

HENRY SMITH, Governor.

CHARLES B. STEWART, Secretary of Executive.

San Felipe de Austin, 8th Decr., 1835.

AUSTIN TO MCKINNEY.

New Orleans, Jan. 21, 1836.

Mr. T. F. McKinney:

We, that is Archer and myself, expect certainly to leave tomorrow for the upper country. W. H. Wharton started on the 16 for Nashville. We remained to close the business of the commision in this city, which we have done in a very advantageous manner, as I think, for Texas.

We have effected a second loan of \$50,000 for land at 50 cents per acre —some difference between this and the Monclova Legislature, which gave land at about 50 dolls. per league. This loan produced us 40,000 dolls. prompt payment in hand.

The news from all quarters is cheering and prosperous for Texas. Nothing is wanting but an immediate declaration of independence, and union and harmony at home. Without this all is lost. There has been the most perfect harmony in the commisson. We all agree as to the main principles, and especially as to independence. I hope that in future there will be union, more so than there has been. If there be good faith in some of those who have been the most restless I think there will be. John Wharton assures me that on his part there will be no more restlessness and his brother says the same. I know what reply you will make to this—but my object is the country, our country, it is, or ought to be, the paramount object of all, and without union and harmony, our country is lost. There are rumors here of disturbances at San Felipe, which discouraged the friends of Texas, injured her credit and caused our enemies to exult. If substantial and deliberate men are elected to the convention, and violent demagogues are permitted to stay at home, all will go right, for such men will legislate for the country and not for themselves or for a party.

In well organized governments parties are useful, for they operate as checks, but situated as we are in Texas, they are ruinous and ought to be discountenanced. I have always tried to keep them down and have been much censured by my friends for yielding rather than encourage party feelings. I may have been wrong, for party spirit never gives credit to any person for purity of motives. The situation of Texas is now critical, and a great effort is necessary to establish union and harmony. The country ought to go unanimously for independence. Public opinion all over the United States expects and earnestly calls for it. Much harm has been done heretofore by those who have endeavored to

precipitate the measure, by violence, partial meetings, and forestalling public opinion by management, etc. I think they are now convinced of the impropriety of this course, and will pursue a different one, and a rational one in future. At all events, let us all labor to promote union and harmony.

No news from W. I fear he is dreaming somewhere. God grant that his dreams may be less injurious to Texas than some which were dreamt at Monclova.

Love to the ladies.

S. F. A.

GOV. SMITH TO AUSTIN.

San Felipe de Austin, January 30, 1836.

Respected Sir:

I have just received by mail from N. Orleans your favor of the 10th inst., signed by the commissioners, of which you are one, together with the stipulations of a contract for a loan of \$200,000. And last night, by way of Velasco, the same in print, with a letter from J. A. Wharton, who has just arrived on the Liberty. He wrote in haste and gives no particulars. I have not had time to examine and digest the stipulations respecting the loan, but relying upon your better judgment, have no doubt you have done well.

I am indeed proud to see that you have united in sentiment respecting the proper position for us to take at the next Convention.

Happy would it have been for Texas had your concurrence in that matter been manifested sooner. Much evil, discordant feeling, and disorganization has grown out of the multifarious plans suggested on that subject.

All organization planned by the last Convention has been subverted. The commander-in-chief has been superceded and the army disorganized and thrown into confusion, the frontier exposed, Bexar, the reduction of which has cost us so much, left in a defenceless situation, and threatened with invasion by a strong Mexican army, who, hearing of its defenseless situation, have determined to retake it. This is truly discouraging, and has been brought about by the baneful influence of persons who are inimical to the true and honest interests of the country aided by the vile machinations of a corrupt council. In consequence of which I have been compelled to adjourn them until the first of March, when the Convention will meet, and as I earnestly hope apply the grand corrective. The commander-in-chief has retired on furlough until that time. The council, however, have retorted by appointing another Governor, and framing another government on the true Mexican principle, using every means to swindle Texas in their management, which they have already done to a large amount. I have for some time heard of banks established without charter for the purpose of swindling the public, but the new Govt. of Texas, with J. W. Robinson at the head, may justly be considered as an anomaly in the history of the

civilized world. I can only look up to you as our agents to correct these evils by sending aid from the U. S. to first exterminate our internal enemies, who are far more to be dreaded than our external ones.

Texas never can prosper until corrections are made at home, the work has to commence in this very town, where much of the mischief has been planned. I enclose you a short and hurried publication, of which, however, you can know but little without the context. Before the Convention meets I will come out with a general exposition.

Wishing your efforts may be crowned with every anticipated success, and that your patriotic exertions in the land of liberty may enable Texas to claim her rank among the free and enlightened nations of the earth, is the fervent prayer of your obt. servant,

HENRY SMITH, Governor.

To the Hon. Stephen F. Austin, Agent for the People of Texas to the United States of America, Washington City.

ANONYMOUS (AUSTIN) LETTER.

Louisville, March 3, 1836.

It possibly may be considered that the commissioners have delayed too much time in getting on to Washington. The delay has been unavoidable, owing to the ice and the illness of Mr. Wharton and myself at Nashville. But had nothing of this kind detained us, we have no doubt that the cause of Texas has been much more effectually promoted by our presence in this country than could have been done in Washington City.

It is almost useless for us to appear at Washington until we receive instructions from the convention of Texas to apply in form to the U. S. Govt. to recognize our independence. If we go to Washington now, we cannot be received in any public capacity whatever, and a refusal to recognize us as commissioners would have a bad effect. This opinion is founded on information recd. from a source that is entitled to confidence.

The course heretofore pursued by the people of Texas, has been universally approved of by all men of reflection & calm judgment; they say it has been marked by prudence and forbearance on our part, which has placed us on high ground. The events in Mexico and the revolutionary state of that country, the prostration of the constitution, and the establishment of centralism, have compelled and forced Texas to separate & declare absolute independence. It ought to be done, public opinion all over this country expects and calls for such a declaration and all our friends are anxiously awaiting it, and although it would have been viewed as premature, or at least a doubtful measure in November last, it now will be hailed by this people as the *true course & the salvation of Texas.*

The particular object of this letter is therefore to urge upon you all an immediate & full declaration of independence, and to send it to the commissioners by *express* with *full powers* to act under it. We hope

all this will have been done, before this reaches you. We have stated here that we had no doubt the declaration would be made on this day, or on tomorrow the *4th of March*.

The regulation of the financial operations is all important. A Bank will give great facilities to the country in its monied affairs. Mr. S. M. Williams has made arrangements to put one in immediate operation, he has the bills, &c. all with him. We strongly recommend this subject to the convention and authorities. In our communication from Nashville we recommended the issuing of treasury notes, we now repeat that recommendation and have to superadd that the bank in our opinion will aid very materially in giving credit to these notes. As we informed you from Nashville, we shall procure the plates, &c., for the notes and take, or send them to Texas without delay, after which the law can be passed.

We left Mr. Wharton sick at Nashville, but expect him here daily. We shall proceed from here to Cincinnati & up the river, stopping a short time at the principal places.*

AUSTIN TO ANDREW JACKSON ET AL.

To Andrew Jackson, Martin Van Buren, Richard M. Johnson, John Forsyth, Lewis Cass, T. H. Benton, and to any member of the Cabinet or Congress of all parties and all sections of the United States:

New York, April 15, 1836.

Pardon me for this intrusion upon your valued time. I address you as individuals, as men, as Americans, as my countrymen. I obey an honest though excited impulse. We have recent dates from Mexico by the Packet. It appears that Santana has succeeded in uniting the whole of the Mexicans against Texas by making it a national war against heretics; that an additional army of 8000 men is organizing in Mexico under Gen. Cortazar to march to Texas and exterminate the *heretic Americans*. Santana is now in Texas, as we all know, with about 7000 men fighting under the bloody flag of a pirate—he is exciting the Comanches and other Indians, who know nothing of lines or political divisions of Territory, and massacres have been committed on Red River within the U. S. This is a war of barbarism against civilization, of despotism against liberty, of Mexicans against Americans. Oh my countrymen! the warm-hearted, chivalrous, impulsive West and South are up and moving in favor of Texas. The calculating and more prudent, though not less noble-minded, North are aroused. The sympathies of the whole American people in mass are with the Texans. This people look to you, the guardians of their rights and interests and principles. Will you, can you turn a deaf ear to the appeals of your fellow citizens in favor of their and your countrymen and friends who are massacred, butchered, outraged in Texas at your very doors? Are

* MS., in Stephen F. Austin's handwriting. Not signed by Austin. Evidently original draft of letter sent to Texas.—[C. W. R.]

not we, the Texians, obeying the dictates of an education received here, from you, the American people, from our fathers, from the patriots of '76—the Republicans of 1836? Have not we been stimulated to obey the dictates of this noble education by the expression of opinions all over the United States and by all parties that we ought to resist and throw off the yoke of Mexican usurpation, and are we now to be abandoned or suffered to struggle alone and single-handed because the cold calculations of policy or of party have first to be consulted?

Well, you reply, what can we do? In answer, I say, let the President and Cabinet and Congress come out openly and at once and proclaim to the public their opinions—let Texas have some of the \$37,000,000 now in the national treasury—let the war in Texas become a *national war, above board*, and thus respond to the noble feelings of the American people. Who can deny that it is a *national war* in reality—a war in which every free American who is not a fanatic, abolitionist, or cold-hearted recreant to the interests and honor and principles, country and countrymen, who is not an icicle in soul and in practice, is deeply, warmly, ardently interested. In short, it is *now* a *national war sub rosa*. This will not do; this state of the matter can not, ought not to continue. Make it *at once and above board* and boldly what it is in fact, a *national war* in defense of national rights, interests and principles and of Americans. Let the administration and Congress take this position *at once* and the butcheries in Texas will cease, humanity will no longer be outraged by a war of extermination against liberty and against Americans—peace will be restored and maintained on the Southwest frontier of this nation, and the Government of the U. S. will then occupy that open and elevated stand which is due to the American people and worthy of Andrew Jackson—for it will occupy *above board* the position which this nation as a people now occupy in heart and in feeling and in wishes, a position which they are now defending in obedience to the noblest impulses of the heart by acts and with their blood, as warm hearts, noble spirits always do. Respectfully your native countryman and obt. servt.

[Signed]

S. F. AUSTIN,
Of Texas.

TEXAS MEETING IN NEW YORK.

Pursuant to public notice previously given, a very large and respectable meeting of citizens convened at 8 o'clock last evening, at Masonic hall, to consider and adopt such measures as might be deemed legitimate and proper in aid of the patriotic people of Texas in their struggle to achieve their independence from the tyrannical government of Mexico.

On motion Samuel Swartwout, Esq., was unanimously appointed president, and Daniel Jackson, James Monroe, Alexander Hamilton, Charles A. Clinton, Silas M. Stillwell, and James Watson Webb, vice-presidents; Willis Hall, James L. Curtis, Asa P. Ufford, and William Van Wyck, secretaries.

The objects of the meeting were briefly and appropriately stated by the president, when the meeting was addressed by Colonel Wharton, one of the Texian commissioners, in a speech of thrilling power and eloquence, in which he depicted in bold and glowing language the wrongs, the injuries, the sufferings, and the noble struggle of the patriotic people of Texas, and in a strain of sublime and touching pathos, appealed to the feelings, and invoked the pecuniary assistance of the citizens of New York in behalf of his suffering countrymen, whom, he declared, might be *exterminated*, but could never be conquered. His speech was received with thunders of applause. He was followed by Dr. Archer and Colonel Austin, the other commissioners, who addressed the meeting at considerable length and gave a history of the oppressions and tyrannies practiced upon the people of Texas, justified their efforts to establish their independence, compared their present struggle to the determined spirit that animated the fathers of our revolution to strike for liberty and freemen's rights.

Willis Hall, Esq., being loudly called for, after a number of interesting prefatory remarks which were loudly applauded, offered the following resolutions:

"Resolved, That the cause of Texas is the cause of liberty; that her contest has been marked by all the features that characterize a brave people, struggling for their natural rights and battling gloriously for freedom.

"Resolved, That we tender to the Texans our warm applause, for the spirit with which they have resisted oppression; our admiration for the dauntless courage with which they have driven their tyrant from his strongholds; maintained the unequal fight against every advantage. Their spirit proves that they deserve to be free; their courage that they will be so.

"Resolved, That we deeply sympathize with the Texans in their wrongs, in their sufferings, and in their sorrows over the graves of the heroes who have already fallen in their defense. But bid them be comforted, for such wrongs, such sufferings and such blood are the sure price of a nation's liberty.

"Resolved, That the State of Texas having become severed from the confederation of Mexico by no act or fault of her own and having been driven by unequivocal acts of tyranny, which evidently aimed at her political annihilation, to defend herself by arms against a nation whose duty it was to protect her, has justly and righteously declared herself free, sovereign and independent, and that it is for the honour of a free and powerful nation like the United States, to be the first to take her by the hand and acknowledge her independence.

"Resolved, That the law which is paramount to all law, the great law of humanity, justifies us in extending aid to the Texans, who are invaded by an army whose progress has hitherto been marked by atrocities unknown to civilized warfare—an army which wages a war of extermination, and whose savage chief swears to make her fertile soil a desert..

"Resolved, That a committee of sixteen be appointed to solicit and receive donations for the relief of the citizens of Texas, who are suffering from the ruthless warfare of Santa Anna, and that said committee be authorized to confer with the commissioners and agents of Texas, as to the best method of affording efficient aid to their people and also to add to their number and appoint ward committees, and to act as a committee of correspondence if deemed expedient.

"Resolved, That the proceedings of this meeting be published in the daily papers of this city, and that a copy of them, signed by the officers of the meeting, be transmitted to the President and Congress of the Republic of Texas."

The resolutions were seconded by a gentleman from Bunker Hill, near Boston, and William W. Campbell, Esq., in able and interesting speeches; and Col. J. W. Webb being loudly called for, addressed the meeting in a brief and appropriate speech. The resolutions were then unanimously adopted.

The following gentlemen were appointed the committee, viz: John Ward, James B. Murray, John F. Sibell, Robert Emmet, John R. Livingston, Jr., Morgan L. Smith, Thomas Davis, Joseph D. Beers, Jas. R. Whiting, Joseph L. Joseph, Eli Hart, William C. Wales, R. C. Witmore, Isaac L. Varian, Edward Curtis and McDonald Fraser, to which were added the president, vice-presidents and secretaries of the meeting.

New York, April 26, 1836.

**GENERAL INSTRUCTIONS TO THE HON. W. H. WHARTON, MINISTER
PLENIPOTENTIARY TO THE UNITED STATES OF AMERICA.**

Republic of Texas, Department of State,
Columbia, Nov. 18, 1836.

To the Hon. W. H. Wharton.

Sir: You will herewith receive your commission and credentials as minister plenipotentiary of Texas to the U. S. of America, and also copies of the Declaration of Independence, of the constitution, and other acts and proceedings in relation to the organization of the government of Texas, to be used as you may deem expedient in promoting the objects of your mission. The most important of these objects are:

First, The recognition of the independence of Texas.

Second, The annexation of this country to the United States.

1st. Our recognition.—You will proceed to the city of Washington with the least possible delay, and your own judgment and sound discretion are relied upon fully in selecting the best and most expeditious mode of bringing these subjects before the government, or congress of the United States. Should difficulties arise as to receiving you formally as minister until after the question of recognition is settled, you will urge that subject as the agent of this government, for which purpose separate credentials are furnished you to be used in case it should be necessary.

Possessing as you do the full confidence of the government and being acquainted from long residence with the situation and wants of this country, and the sentiments of the people, you will consider yourself invested with very ample powers in effecting the before mentioned objects of your mission and that the following instructions are given in explanation of the views of the government, more as a general guide, than as a positive mandate. It is not intended to embarrass the negotiations with the United States by any onerous conditions or restrictions on our part. A just reciprocity is our basis, in the full confidence that a similar one will influence the counsels of the United States, you will therefore observe the utmost frankness and candor in all your intercourse with that government.

Texas claims the right of being recognized as an independent nation, on the broad basis that she is so de jure and de facto—that she has organized her political and civil government, which has been, and is, in undisturbed operation, and that she is fully competent to sustain her independence and fulfill the duties and obligations of an independent power.

It can not properly be made a question by a foreign nation whether Texas is independent de jure and has a constitutional right to separate from Mexico and form a government for herself, but it may notwithstanding add much to the moral force of our claims to show that we were in fact made independent by the federal constitution of Mexico, in consequence of the revolution that destroyed the federal compact, which alone bound Texas, in common with the other states, to the Mexican confederation. The destruction of that compact and constitution by revolutionary, violent, and unconstitutional means, and the consequent change in the system and form of government, evidently severed all the bonds which united this country to Mexico, and absolved the people of Texas from all allegiance to the federal union which ceased to exist and left them free to take care of themselves. It is equally evident that the mere establishment of a new government by force of arms and usurpation can not, and does not, impose upon Texas, nor upon any other of the former States any obligations, either moral or political, to resign the rights and sovereignty with which she was invested by the adoption of the federal union, or to acknowledge any allegiance or subjection whatever to such new and usurped government, other than by the free and voluntary consent of the people. It is therefore evident that the charge made by the present government of Mexico, that Texas has rebelled against the constitutional authority, or in any manner violated the allegiance that united it with the nation, is false, and recoils with all its force upon those who make it. But, besides this fact, the rights of the people of Texas to provide for their own security and welfare, and do what they consider necessary for self-preservation, can not be questioned, for it is a natural right that every people possesses, more especially when the nation to which they had previously been united, is distracted by revolutions, and affords no

protection whatever, political or civil, as was the case with Mexico in relation to Texas at the time of the latter, and for years previous. Your knowledge of this branch of the subject will, however, enable you to handle it in a proper manner, should you deem it necessary to touch upon it at all.

The most important point, and the only one about which the United States government will probably require definite or special information, is whether Texas is independent *de facto*, and has established a regular government, and is competent to sustain herself and fulfill the duties of an independent nation. On this point the Declaration of Independence, the Constitution, the organization of the several branches of the government, the acts of Congress, etc., are conclusive evidence that a political and civil government is established, and is republican and liberal. The fundamental laws are all adopted and in full force and operation: The constitutional executive and Congress have been duly elected and installed, and the latter has progressed with the details of legislation with great rapidity and wisdom considering all the circumstances. The several subordinate departments of the government are all organized and in full operation. Many of the most important laws for the civil and military government of the Republic have been passed, or are in a great state of forwardness, such as the judiciary law, that regulating the revenue, imposts, taxes, etc., that organizing the army and many others. These facts it is hoped will be satisfactory and conclusive that a government is established, which is fully competent to fulfill the duties and obligations contemplated by the law of nations, and required by the situation of Texas, and consequently it is believed that no material objection will be made to our independence upon this point after it is fully explained by you.

In regard to the physical ability of Texas to sustain herself, the signal and total defeat by Gen. Houston of the army that invaded Texas last spring commanded by the President Gen. Santa Anna in person, at the memorable battle of San Jacinto, on the 21st of April—the flight and dispersion of the remnants of that army, and the total abandonment of all the territory of Texas by the forces of Mexico and its peaceable possession by those of this Republic, afford evidence which certainly ought to be conclusive of the physical power of the Republic to sustain its independence. This fact can not admit of a single doubt, when it is considered that the invasion of Gen. Santa Anna was made under the most favorable auspices for Mexico, and the most discouraging for Texas. The former was then united under a popular leader, whose influence gave him almost dictatorial powers. He brought a well appointed and disciplined regular army to Texas of about 8000 men, attached to their leader and confident of victory. On the other hand, Texas was totally unprepared for the contest; without organization, civil government, an army or resources. At the present time this state of things is reversed. Mexico is in revolution and disorganized, its army dispersed and dispirited, Texas is looked upon as a formidable and dangerous

enemy, the Mexican President, Gen. Santa Anna, the leader of her army, is a prisoner, and acknowledges that this country is able to sustain its independence and is lost to Mexico. The same is admitted in substance by Gen. Filisola in the published defense of his conduct as the second in command under Santa Anna. Most or all of the officers of the defeated army state the same thing, and declare they will never return to this country. Texas at this time has an organized government in full and undisturbed operation, an army, a navy, and the people are all united and confident of their strength, the population has augmented and is rapidly increasing, etc. When all these circumstances are considered, it can not reasonably be supposed that any doubt can exist as to the physical capacity of Texas to sustain her independence.

Your own judgment will suggest to you such other reasons and arguments as you may deem necessary to bring into view, according to the circumstances and the nature of the objections that may be raised to acknowledgment should there be any.

Amongst others, it may be important to urge, that the measure is fully justified by precedent in the case of South America, and is called for by the great principles of liberty, philanthropy, and impartial justice, which form the basis of the institutions of the United States and of their exterior policy. On this basis the republics of South America and Mexico were ushered by the United States into the great family of nations. The political situation of Texas is certainly much better than most of those States were, particularly Mexico. President Monroe recommended this recognition by his message of the 8th of March, 1822. Mexico at that time had not adopted any fundamental laws or constitution, and did not adopt any until the 4th of October, 1824. Spain still held possession of the castle of San Juan de Ulloa, and the people all over the nation were divided into factions, and in constant ferment and revolution. A comparison between such a state of things and that which exists in Texas is so decidedly in favor of the latter, that it must be obvious and have its due weight in an impartial scale. In addition to these considerations, it is evident that the elements and materials of Texas for forming an independent Republic on the broad basis of self-government, will bear a very favorable comparison with those of any of said states, whose people had for ages been kept in ignorance and abject subjection by the despotic government of Spain. Texas has those claims upon the good will and confidence of the United States which common origin, language, habits, religion, political principles, kindred and education naturally create. We are, in fact, one people, separated only by a line, similar to that which divides the possessions of a son from those of his father.

Sound policy seems to urge the friendly interposition of the United States for the purpose of terminating the contest between Texas and Mexico, which if continued by the active renewal of hostilities, must inevitably be carried beyond the River Bravo into the thickly populated parts of Mexico, and become in the highest degree injurious to that coun-

try, and thus inflame the prejudices against the citizens of the United States there and perhaps produce some outrage upon their rights by land or sea, that would disturb the friendly relations and commercial intercourse that now exists between those nations. The effect this war will have upon the tranquillity of the southwest frontier of the United States is at least quite problematical. The Indians of that frontier are numerous and warlike, and may be disposed to take part on one side or the other, and thus the war whoop and savage barbarities will swell the tide of human sufferings, and in all probability force the United States into a war with those Indians, or lay her liable to the charge of cold indifference to the calamities of a suffering and innocent people; should she restrain the Indians from taking part against Texas, or having evaded or violated the treaty with Mexico, should she not restrain them from making predatory incursions against the Mexicans.

2. Annexation.—As to the second great object of your mission, which is annexation to the United States, you will make every exertion to effect it with the least possible delay, using your discretion as to the proper mode of bringing it before the executive or Congress. It is probable that no action can be had on this point until after the recognition of our independence, unless the act of recognition and annexation, should be simultaneous.

The views of the government are, that the annexation should be made on the broad basis of equitable reciprocity. It must be effected by a formal treaty, which must be ratified by the Senate of Texas in conformity with the Constitution. In negotiating and forming this treaty, while you bear in mind that it is a favorite measure with the people of Texas, and much desired by them, as is proven by their almost unanimous vote in favor of it at the September election, you must not lose sight of the fact that it is to decide the political fate and interests of the people of Texas, who have acquired many rights under the laws of the former and present governments and also by their toils and sufferings in redeeming this country from the wilderness and achieving its independence which must be duly respected and secured beyond the possibility of doubt, cavil, or constructions at any future period. This government has the most unbounded confidence in the magnanimity, justice, and liberality of the United States, and has no fears that any attempt will be made by them to invade any of the vested or equitable rights of the people of Texas. It is believed that the sovereignty of this country, as an integral part of the American Union on an equal footing with the other States, is all that the United States will desire, but in the transfer of this sovereignty it is very important that the rights of the people of Texas should be clearly defined, understood, and guaranteed, in order to avoid those kind of doubts and constructions which are always a fruitful source of disputes and litigations. In forming said treaty of annexation, the right ought therefore to be secured to Texas of becoming a state of the American Union on an equal footing with the other states, and as such to adopt her Constitution,

and present it to the next Congress of the United States for approval and to organize her State government without delay, so soon as the treaty of annexation shall be duly ratified by both parties. The authorities of the Republic that may be in office at the time of ratification of said treaty should continue administering the government under the Constitution and laws of this Republic, which are not contrary to those of the United States until the state government is organized, so as to avoid an interregnum. Possession should be taken by the United States immediately after ratification of the treaty, and military posts established competent to protect it from Indian or other enemies, especially on the southwest and northwest frontiers.

As regards the boundaries of Texas, perhaps this question can not be definitely settled at present; it may, however, be important for you to explain the views of the government on this point. You will, therefore, use the following as you may deem necessary. We claim, and claim that we have possession, to the Rio Bravo del Norte. Taking this as the basis, the boundary of Texas would be as follows: Beginning at the mouth of said river on the Gulf of Mexico, thence up the middle thereof, following the main channel, including the islands, to its most northerly source; thence in a direct line to the United States boundary under the De Onis treaty, at the head of the Arkansas river; thence down said river and following the United States line, as fixed by said De Onis treaty, to the Gulf of Mexico, at the mouth of the Sabine; thence southerly along the shore of said Gulf to the place of beginning, including the adjacent islands, soundings, etc. The said treaty of De Onis calls for the west bank of the Sabine, and the south bank of Red and Arkansas rivers as the line. It is believed that the chartered limits of Louisiana calls for the middle of the Sabine. If so, there will probably be no difficulty in making our line to correspond with that of Louisiana, so as to give to us the right of landing, ferries, etc., without molestation on the west side. The same alteration should be made if practicable, as to the Red and Arkansas river lines, by fixing them in the middle of those rivers; but should this be objected to, it is presumed the right of landing and free use and control of the banks on our side to low water mark will be secured to us.

Should it appear that any serious embarrassments or delays will be produced by insisting on the above described line, the following alterations might be made on our western boundary:

Instead of the Rio Bravo, beginning on the coast of the Gulf of Mexico, half way between the Bravo and the inlet of Corpus Christi, which is the main outlet of the Nueces river and bay into the Gulf, thence in a northwestwardly direction following the dividing ridge or high land that divides the waters of the Nueces river and bay from those of the River Bravo, to the hills or mountains in which the main branch of the said Nueces river has its source, and thence following said ridge or chain of mountains westerly so as to strike the River Puerco or Pecos five leagues above its mouth (this river Puerco or Pecos enters the Rio

Bravo about fifty or sixty miles above the old Presidio of Rio Grande, now called Guerrero, situated on the main road from Bexar to Monclova), from the place where the line strikes the Puerco or Pecos, it is to follow the ridge or mountains that divide its waters from those of the Rio Bravo, and to continue along said mountains above the head of said Puerco or Pecos to the United States line at the head of the Arkansas river.

The river Bravo as a line would cut off many settlements and some villages of native Mexicans, and divide the populous valley of New Mexico. It therefore may be seriously objected to. The other line along the dividing ridge includes no Mexican population except Bexar and Goliad, whose inhabitants have joined the cause of Texas, and are represented in Congress. It will include in Texas all the valleys of the Nueces and Puerco or Pecos and all the waters of the Red River and those of the south side of Arkansas west of the De Onis line, all of which naturally belong to Texas, and we have peaceable possession of it. The salt lakes or ponds between the Nueces and Rio Bravo are of incalculable value and would supply a great amount of the article in the crystallized form. The last mentioned line would divide them. The first would include them all. They are distributed over an extensive tract of country which is of but little value for farming or pasture.

In relation to the future subdivision of Texas into several states: The broad basis of equity upon which it is contemplated to unite this country with the United States seems to require that all future subdivisions should be left entirely to the option and decision of the people of Texas, when the increase and extension of the population shall render it necessary to the public convenience and interest. The treaty stipulations agreeably to this principle should only extend to limiting the number or territorial extent of such new states hereafter to be formed and guaranteeing their admission into the Union on an equal footing with the other states when petitioned for by the Legislature of Texas in conformity with the constitution and laws of the United States.

The future location of Indians within the limits of Texas south of Red River should be carefully guarded against, and the removal, on just terms of indemnity of those who are now residing there with acknowledged rights, should be provided for. The reasons for this measure are evident when it is considered that they are now partially and soon will be closely surrounded and intermingled with the white population. This stipulation, however, need not prevent the location of Indians by the United States between Red and Arkansas rivers, west of the De Onis line, should any important advantage be gained by such a concession, or should the United States earnestly desire it.

Should it be stipulated that Texas is to pay her own debts, she will of course retain the absolute disposal of all the public lands, and should the United States assume our debts, the public lands may be relinquished to them, but in the latter case liberal allowances for schools, colleges, in-

ternal improvements etc., ought to be made and the salt lakes or springs retained.

All laws, civil or penal, acts and obligations either legal or equitable, of the present government of Texas or of the Provisional or ad interim governments, which precede it, must be respected and held valid.

The legislation of the present Congress will no doubt settle most or all questions relative to land claims by legislative provisions; but should anything prevent or retard the settlement of these questions until the annexation to the United States, all bona fide settlers in Texas must be protected in their rights to so much land as they can rightfully claim in virtue of the laws under which they emigrated, and their titles must not be adjudged defective or questioned for want of mere matters of form, or for failure to comply with formal and unessential requisitions, such as being a Roman Catholic, cultivation in toto or in any limited time or specific manner, alienation in a limited time, classification of land, erecting stone or mud corners, paying dues to the government to a day, and the like.

On the subject of land claims the same broad and fundamental principles of equity should be observed, which are to form the basis of our annexation to the United States. In order, therefore, to present this part of the subject in its true light, it must be borne in mind that the people of Texas have undergone great privations, embarrassments, and impediments, owing to the wilderness situation of the country in times past, Indian hostilities, and especially to the revolutionary state of Mexico, and the consequent want of adequate protection, or even of local authorities, which impediments have in many instances rendered it impracticable for them to comply strictly with all the minute conditions of the colonization laws, although they have complied with the spirit and evident intention of said laws by populating the country, and contributing by their presence and personal services to its improvement and defense. Great care should therefore be taken not to leave the just titles of any such subject to doubts or to be questioned. These claims are founded upon actual settlement, the sufferings of families, the redemption of this country from the wilderness, and opening the way for easy emigration; in short, they have laid a foundation by their labors and past sufferings for independence and all the results that will follow.

There must be no special restrictions or limitations as to slavery in Texas different from what are imposed by the Constitution of the United States upon other slaveholding states of that nation, and all persons of African derivation now in Texas and held as slaves, shall be respected as the property of their respective owners.

A reasonable time should be allowed to persons who may owe debts to citizens of foreign countries contracted previous to coming here, before they can be disturbed by suits or the payment demanded.

In conclusion the President directs that you express in the strongest terms the friendly disposition and warm attachment of the citizens of

this Republic towards the citizens and government of the United States and the high respect and consideration of this government and people for the venerable chief magistrate of that great and prosperous Republic. Respectfully, your most obt.,

S. F. AUSTIN, Sec. of State.

**PRIVATE AND SPECIAL INSTRUCTIONS TO THE HON. W. H. WHARTON,
MINISTER PLENIPOTENTIARY TO THE UNITED
STATES OF AMERICA.**

Republic of Texas, Department of State.
Columbia, Nov. 18, 1836.

To the Hon. W. H. Wharton.

Sir: In addition to your general instructions of this date, you will be governed by the following, as your private and special instructions:

You will use every possible exertion to bring the questions of recognition and annexation to an issue during the present session of the United States Congress.

In forming the treaty of annexation it is highly important that no principles or rights should be surrendered that will probably be disapproved of by the people of Texas, or cause discontent, and be rejected by our Senate; and thus defeat the annexation. Be very particular to urge the importance and necessity of this point in your conferences with the President, Secretary of State, etc.

Notwithstanding the vote of the people at the September election in favor of annexation, you are aware that very many persons of influence who voted for that measure merely yielded to the peculiar circumstances of the times, and incline strongly to the opinion that Texas ought to remain a separate and independent republic. Should our affairs assume a more favorable aspect by a termination of the war and a treaty with Mexico, and by the manifestation of a friendly disposition towards us by England and France it will have a powerful influence on public opinion, and in all probability decide it in favor of remaining independent. England, France, and Mexico therefore have it in their power to influence very materially in fixing the political position of Texas. Suppose the two former, and especially England, should pursue the course which sound policy evidently dictates and interpose their influence with Mexico to procure an acknowledgment of our independence, and it was known in Texas that favorable treaties could be made with those nations, and suppose at the same time that indifference is manifested by the United States as to receiving us, or that unjust or hard terms should be insisted on, or they should cavil about minute particulars, etc., what would be the consequence? The answer is evident. Texas would at once say, "We first applied to the land of our nativity and have been coldly received, or treated like strangers. We therefore abandon all idea of annexation, and will proceed to perfect our institutions and extend our foreign relations where our interest can be best promoted."

It should be borne in mind that Texas makes a great sacrifice by agreeing to the annexation at all, even were the prospect of a continuance of the war greater than it now is, a sacrifice that would be incalculable should the aspect of our affairs change as before indicated, as there is probability they will within a short time.

It should also be remembered that many are of the opinion that the vote of September was more the result of attachment to the native government of the great mass of the people, of the ties of kindred, the reminiscences of the past, and confidence in the liberal munificence of that government, than of mature reflection on the future glory, interest and prosperity of Texas. This view of the subject affords to us a powerful argument, which may be advantageously used by you so as to have its proper weight with the government of the United States and with the ministers of England, France, and other foreign nations. It is a correct exhibition of facts, and of what will certainly take place should the course and policy of the United States be adverse or illiberal, or should she refuse to allow not only liberal, but even munificent terms to Texas. In the event therefore of discovering any such disposition in the government or Congress of the United States, you will have full and free conversations with the British, French and other foreign ministers on the Texas question, explaining to them the great commercial advantages that will result to their nations from our cotton, etc., and finding a market here for their merchandise, and an outlet for their surplus population, on a basis of a system of low duties and liberal encouragement, which it would be our interest to establish. And you will endeavor to enlist their governments through them, in favor of Texas, to acknowledge our independence and interpose their friendly influence with Mexico, to procure a similar acknowledgment, with the boundary line first mentioned in your general instructions, which is the Rio Bravo on the west, etc. Should both the recognition and annexation be effected, all further relations of a belligerent or peaceful character will of course cease between Texas and Mexico, and all other foreign powers. If, however, these happy events should not take place, other and very important duties will devolve upon you.

Should the United States acknowledge independence, but decline annexation on such terms as Texas can admit, it will then be your duty to propose and form a treaty of amity, limits and commerce with that government on the basis of a just reciprocity, and, if possible, also a treaty of alliance, keeping this government regularly and minutely informed by your correspondence with the state department of what occurs that the necessary instructions may be given.

You will ascertain as soon as possible whether a treaty of alliance can be made with the United States, and aid in money, troops, or vessels of war can be procured under it, or otherwise, against Mexico, and if to be had, procure it without delay. You will also extend, so far as possible, your friendly intercourse with the foreign ministers at Washington and sound them as to the dispositions of their governments.

You will not lose sight of the Indian question, and make such arrangements as will prevent the United States Indians from taking part with Mexico against Texas.

Should neither recognition nor annexation be effected, you will then endeavor to procure the mediation of the United States for the purpose of terminating the war with Mexico, on the basis of a recognition of our independence, and you will also secure all the support and good will you can from the foreign ministers at Washington.

As a proof of our perfect reliance upon the magnanimity of the United States, you will as soon as may be proper, after your first interview with the Secretary of State, exhibit to him your general instructions in extenso, as a plain view of the subject, which may serve in affording information that may be useful to both parties in settling the question on the basis of equity and just reciprocity.

President Burnet wrote officially to Gen. Gaines that it would be agreeable to the government of Texas should he establish his headquarters at or occupy the post of Nacogdoches for the purpose of restraining the Indians.

You will endeavor to ascertain the real views of the United States government in occupying that post, and whether it is seriously contemplated to insist on the river Neches as the constructive line under De Onis' treaty, instead of the Sabine, as laid down in Millish's map of 1818, which is positively and definitely fixed by said treaty as the boundary line. This government can not admit of any construction that will fix the line at the Neches, or make any variations of this kind from the said treaty of De Onis, and should there be any attempt on the part of the United States government to move the line to the Neches, and thus claim the country between that river and Sabine, you will solemnly protest against it as an infraction of said treaty of De Onis, and an invasion of the rights and territory of Texas.

The confidence of this government in the justice and liberality of the United States is unbounded, and consequently it is not believed that any conditions or restrictions will be insisted on that are likely to be seriously disapproved by the people of Texas, or rejected by our Senate, and thus defeat the annexation in toto. It is, however, highly important that the following stipulations should be kept in view pending the negotiations, as being particularly interesting to this country.

That allowing Texas to enter the American Union as a state without passing through the intermediate stage of a territorial government, and that the authorities in office, and the laws in force, not repugnant to the Constitution of the United States, at the ratification of the treaty of annexation, should continue until the state constitution and government are formed and organized by the installation of the state authorities, and the enactment of state laws.

That no future subdivision of the territory of Texas south of Red River, into a plurality of states or territories, shall ever be made except on the petition of the Legislature of Texas founded upon that of the

people of the particular section of country which is to be erected into such new state or territory. The country between Red and Arkansas rivers may be excepted from this stipulation and relinquished to the United States in full, on terms that will be equitable to both parties.

That relative to slavery. On this point you must insist that no kind of restriction whatever shall be imposed different from the Constitution of the United States with respect to the other slave holding states of that Republic.

That confirming land titles of actual and bona fide settlers so as to secure them from the heartless grasp or persecution of speculators.

That recognizing as valid the legislation and acts of the present and past governments of Texas.

That allowing liberal donations to Texas of lands, etc., for schools, colleges, internal improvements, etc., in case the United States assume our debts and take the vacant lands.

That prohibiting the location of Indians south of Red River, and all other stipulations of a similar character which involve interests of vital importance or principles that may materially affect the future liberties or prosperity of Texas.

Should objections be made to the admission of Texas as a state without dividing or cutting off any of the territory south of Red River and between it and the coast, and between the Sabine and the western boundary of Texas, on account of the size thereof (an objection which it is not contemplated will be made), it will be your particular duty to show, as you can do, that many exaggerated and erroneous impressions have influenced public opinion in the United States in relation to the extent or size of Texas. The map of this country compiled by S. F. Austin and published by Tanner, was formed at an early day, when the interior of Texas was but imperfectly known and makes this country much larger than it really is—for example, the general course of Red River as accurately ascertained is on, or near, the parallel of 33 degrees north latitude, but on said map it is extended near to latitude 34 degrees north latitude. The distance on the map from Sabine to the Nueces and Rio Grande is greater than it is in fact. The coast of the Gulf is put down on the map many miles east and southeast of what it really is. The river Puerco and the great bend of the Rio Bravo is put down on the map much too far west. An accurate delineation, therefore, of the true size of Texas would show a territory much less than the said map represents and would not be anything like so extensive as is generally supposed. It probably will not exceed one hundred thousand square miles, supposing the western boundary to be on the dividing ridge between the rivers Nueces and Puerco, and the River Bravo, which it is probable will be the line finally established.

It must also be remembered that a large tract on the western and northwestern frontiers is of but little value and can never be densely populated. The country on the Puerco south of the latitude of the

heads of Red River, is represented as very mountainous and barren in general.

In conclusion, the President, relying fully on your prudence and judgment, confides the important objects of this mission to you with the confidence that you will devote to it all the attention and activity which it requires, and that you will keep this government fully and minutely informed of everything of public interest. Respectfully, your most obt,

S. F. AUSTIN, Sec. of State.

It seems from the above instructions to Minister Wharton that, to secure recognition as an independent power, by the United States that Texas would, if necessary, give up all her territory north of Red River and the country east of the Rio Grande extending to the dividing ridge between the Rio Grande and the Nueces, up to the Pecos (five leagues from its mouth), and in the same general direction the ridge between the Rio Grande and the Pecos. That is to say, the west boundary would not be nearer than fifty miles of the Rio Grande. But the necessity for this sacrifice of territory did not arise, and amid all subsequent military and civil complications, Texas maintained her asserted boundaries intact beyond Red River on the north and to the Rio Grande on the southwest. [C. W. R.]

HOUSTONIANA.

POEM TO A LADY.

Oh, where's the step that once was light,
The heart that felt no throb of sorrow,
When every morning's rays were bright,
And hope could gild the coming morrow?
That heart has ceased to beat with joy,
Has ceased to hope for coming pleasure;
It smiles on Glory as a toy,
And virtue as the only treasure.
Farwell! I wish it were not so,
That we must part and part forever,
But let the wandering exile go.
My heart from thee no change can sever.

Written March 1, 1831, in Washington City and presented to a young female friend at leaving her, by Gen. Sam Houston.

COMMITTEE AT CINCINNATI TO HOUSTON.

Cincinnati, April 20, 1836.

To Major General Samuel Houston, Army of Texas:

Dear Sir.—The undersigned committee, on behalf of a few friends that were hastily convened on yesterday, have the honor to present to you, through their friend Lieutenant Thos. Stansbury, a brace of pistols—the best they could, on so short a notice, procure in the city. Aware, sir, that in your estimation, as in our own, they possess intrinsically but

little value, they indulge the hope that you will receive them as an indication of that good feeling which animates our citizens in behalf of your oppressed and struggling country and the respect and confidence which they feel in *your own* skill, energy, and devoted patriotism! With the hope that the same success that has hitherto awaited your efforts to free and aid and to adorn *your parent country* may follow you in the land of your adoption, and an abiding confidence that the god of justice will sustain you, we most respectfully remain, your friends and humble servants,

ROBERT T. LYTLE,
ISAAC L. LUDLOW,
JOSEPH GRAHAM,
LEWELLYN M. GWYNNE.

GENERAL JACKSON TO HOUSTON.

Hermitage, August 31, 1843.

General Sam Houston:

Your letter of the 24th of July last with Mr. Thos. J. Ashbury's enclosed, I have this moment received, and for your attention to my claim on Mr. Ashbury, my dear friend, I make you a tender of my thanks. One of your letters, on this subject, I have only received—your very interesting letter of the 31st of January I recd., but then I was so afflicted and unwell I was unable to answer it, and now, I am scarcely able to wield the pen. Often for weeks I am unable to write. But I assure you I have not been indifferent to the difficulties with which you have been surrounded, and my fervent prayers, that you might overcome them. The first step that led to the injury of Texas and her fame, was that foolish campaign to Santafee. The next the foolish attempt to invade Mexico without means and men sufficient for the occasion. The fate of this rashness to those concerned will I hope put a stop to these disorders, and control the Texians within bounds of your orders. The Texians now on the Santafee road from the United States can only be viewed by Mexico as a band of robbers, unless there by your order, and if taken, will every one be put to death. These ought forthwith to be recalled, if not there by your order. These may prevent you from having peace with Mexico. But, my dear general, have a good lookout upon your frontier least the large force concentrating in Mexico to cover Santafee and to again march upon Campeache may not really be intended to make a sudden entrance into Texas.

I sincerely congratulate you and your lady on the birth of your fine son. I send him my blessing, and my whole household join with me in this heartfelt congratulation and with kind regards to you and your amiable lady.

I have read Mr. Thos. J. Ashbury's letter. I have no confidence in him now, although I had when I sold him the stud horse. This horse he sold soon after he got him to Texas. The gentleman who bought

him wrote me for his pedigree, if he has still the horse and would return him to me, if not materially injured, I would cancel the debt.

My dear friend, I hate to give more trouble, but I send enclosed a copy of his note, and a short letter to him, and if you can find any faithful man who will go and see the land, investigate the title, and will receive as much land as will, at a fair value, pay the note, I will cheerfully receive it and cancel the debt, and the agent employed to settle this matter to receive out of the land a liberal part for his trouble and expenses. I enclose you a power of attorney, with authority to appoint an agent to settle this matter whose receipt on the back of the note herein enclosed shall be a complete discharge from the original note which will be canceled by me, on the receipt of the payment in land or anything else that you, or the agent you may appoint, may receive from Mr. Thos. J. Ashbury. I have no faith now in him and I fear nothing can be got from him. But still, an agent that will go and see him may get something, if a trusty agent can be got to go to see him who will agree to receive a liberal share of what may be received from him, leaving you to be the judge of what share the agent ought to receive, to one-half of the debt.

I see you are in negotiation with Mexico, but be carefull of the designing Englishman—I would be glad to know the propositions—and be carefull whilst the olive branch is holding out the Spaniard is not preparing a force to destroy. I am exausted and must close.

May God bless and preserve and give you success in yr. administration,
your sincere friend,

ANDREW JACKSON.¹

MRS. MARGARET HOUSTON TO SAM.

Washington, 5th Mar., 1851.

My Dear Sam:

For fear you might think you were forgotten by me for a single day, I will not fail to write you. It is true I have nothing interesting to write, as I have been in my room today, the Senate not being in session as it is Saturday.

Tomorrow is our communion day at E Street Baptist Church. If the Lord spares me, I expect to attend, and partake of the sacrament of our Lord's supper. I do not feel that I am worthy of so high a privilege. I know I am a sinner and can only pray God to enable me to live as I ought to do to merit the forgiveness of our Saviour.

We are in the world, and while we are, we may, and I do avoid, all infractions of the commands of my Saviour, so far as my actions and appetites are concerned, but I feel that I do not love God as I ought to do, or appreciate his infinite love and kindness to us. I try to feel, as I am convinced by my judgment I ought to do, and yet I come short of the great work. To use the means appointed, with God's help, I will

¹ Letter was addressed to Gen. Houston at Washington, Texas.—[C. W. R.]

do so as long as I live. Pray for me dearest that, by grace, my spirit may be enlightened, and that I may enjoy full evidences of my regeneration of heart and spirit.

For weeks I have written to you every day, and I hope you get my letters. I fear you will have quit writing to me, though I asked you to continue even until I reached home, for business might by possibility detain me longer than I have proposed, though I hope not.

Dearest, give my love to all. Thy devoted,

MARGARET HOUSTON.

HOUSTON TO SAM.

Washington, 18th February, 1859.

My Dear Son:

In writing to you in my last letter I did not admonish you not to carry concealed weapons. I hope you will never do, and, were I with you, I could state many reasons, which I am sure you would approve, with your perceptions of propriety. And oh, my son, by all means keep from the use of tobacco. Don't smoke, nor chew. Beside the habit of its use, it is an expense and trouble. I look to you as one on whom my mantle is to fall, and I wish to leave it to you without a rent in it. It is natural that I should desire you to wear worthily, aye nobly, and to give additional lustre, to all that may descend to you! If you have a suitable opportunity, I wish you to pay more attention to Languages, History, Geography, and Grammar than to mathematics. If this can be done directly, I wish it done, not otherwise.

I hope, if I live, to return to visit Independence, and see you and Nannie and our relatives.

Give love to Nannie, to Grandma and all kindred, also to Bro. Burleson and lady. Affectionately, Thy father,

SAM HOUSTON.

Sam Houston, Jr.

PROF. M. F. MAURY TO HOUSTON.

Observatory, Washington, 13th December, 1859.

My early, long, and fast friend:

I have had it in my heart to write you a letter ever since the election, to tell you how earnestly I rejoice with you in all your triumphs and successes. I did not do it before because I knew you needed no such assurance of my friendly sympathy and solicitude.

I send you, for the use it may be to the cavalry of Texas, a new drill which is much commended by experts. They say that it greatly increases the efficiency of mounted men. It has been tried in the field, approved by experience, and adopted in the army. It was planned in Texas, and as I have only two or three copies, I send one to you because I think it may be made the source of much real service and benefit to the military forces of your State. I should like to see it introduced

by every State for the use of its cavalry. Its author is with his regiment among the Indians. In his absence and in his name, I beg leave to offer it through you to the State. Your quick eye will at once discover its advantages; it would be superfluous therefore to call your attention to any one of them in particular. Your friend,

M. F. MAURY.

His Excellency, Sam Houston, Governor of Texas, Austin.

HOUSTON TO SAM.

Austin, 7th Nov., 1860.

My Dear Son:

Your Dear Ma sends you by stage a bundle with eatables in it. I hope they may be agreeable to your palate.

We are all well and all send love to you. There is no news. The election is over and the Breckenridge ticket carried by some 150 or 170 votes. How the State will go, I can't say, but the "Union must be preserved." The fire-eaters got their chunk put out. The price of liberty was blood and if an attempt should be made to destroy our Union, or violate our constitution, there will be blood shed to maintain. The demons of anarchy must be put down and destroyed. The miserable demagogues and traitors of the land must be silenced and put at naught.

Write to me, and tell me all the news. I wish you to write to Cousin Mart Lea, at Bay Town, Harris county, Texas, and beg of him never to drink a drop of liquor. You can write to him as a friend and relative and as one for whom you feel great affection, and say to him that you wish to go and see him, and you are sure if I were to hear that he drank a drop, that I would not let you go down to stay. Urge him by every reason you may think fit. Don't let him know that I have given you a hint to do so.

Now my Dear Son don't fail to write to him. I will write to you whenever I can, and do you write often. Thy father,

SAM HOUSTON.

Sam Houston, Jr.

HOUSTON TO SAM.

Independence, 22d May, 1861.

My Dear Son:

On yesterday I wrote to you, and hoped today would be fair and the roads so that we would get off tomorrow, but today is quite cloudy and looks as like rain as need be. If it rains today, I may go to Huntsville on business. I am wearied and distressed to be thus detained. Though ulc. is kindness, I do not like to eat our friends out of house and home at one visit. Moreover, a sense of duty calls me to the Point, though feel assured you will do the best you can.

We have no news of interest in the *Sensation Extras*. They lye to suit the market. Do you my son not let anything disturb you, attend

to business, and when it is proper you shall go to war if you wish to do so. It is every man's duty to defend his country and I wish my offspring to do so, at a proper time and in a proper way. We are not wanted or needed out of Texas, and we may soon be needed and wanted in Texas. Until then, my son, be content.

On yesterday while I was writing and I did not know it, your Dear Ma was quite ill. All night she was very ill, and today she is far from being well. She is very anxious, as we all are, to get to the Point. So soon as we can get there, you and Mart and Jeff will have to come up for stock if the roads are so that you can drive sheep. The flock looks quite formidable, and the ewes still lambing. Andrew told me last night that two "were born" the day before. Andrew is quite busy and feels much responsibility on his hands. He wishes to return with you from the Point and assist you down with the stock, but I am in hopes the goats will engross his attention when he gets home.

The family are all well but your Dear Ma. We all join in love to you and kind regards to Armstrong and family. Tell all the servants how-do-ye, and to mind the corn and cord-wood. We will be hard run to live for the first year. Destroy the cockleburs in the fields and yard. Write to me, and if it comes to me in my absence, it will do no harm, and, if it rains and we can't get away, it will gratify us to hear from you. Tula Clay and all the girls are well. Gertrude Hogin has gone home. Her father came for her in a surry. Came on Sunday last and returned directly. 'Twas said her Ma was not well.

Thy father, affectionately,

SAM HOUSTON.

Sam Houston, Jr.

HOUSTON TO SAM.

Cedar Point, 23rd July, 1861.

My Dear Son:

Supposing that on last night you had a fine wet time of it and the benefit of a pleasant today for drill, I write to you as I can send it by Mr. Armstrong, who wishes to take Tom some shoes.

I am happy to tell you we are well, except Willie, who has a chill, but I hope it will be the last; and Sally has been ill of fever, but today she is much better. Will be well I hope soon. Had my friend Dr. Smith been at home I would have sent for him. Now a days Esculapius is transformed to Mars.

I had hoped, my dear son, that in my retirement my mind would be engrossed, so far as I am concerned with the affairs of time, in the cares of my Domestic circle and matters concerning my family alone, and to live in peace. In the train of events now transpiring I think I perceive disasters to Texas. The men and arms are all leaving this quarter of the theatre in the great Drama, which is playing, and to be played. I know not how much statesmanship Lincoln may have, or Generalship at

his command, and therefore I would not be wise to Prophesy. But looking at matters as they seem to me his wise course, I would say that Texas is his great point in which to make a lodgement and thereby make a diversion from the seat of war. Texas in his possession, and the Gulf is his with fort Pickens as a convenient Point. The assault upon Texas will require two armies & weaken the army of Eastern operations. If Texas is attacked she must be in her present insulated condition. She can look for no aid from the Confederacy and must either succumb or defend herself. Are our means sufficient to do this? What is her situation as has been represented by the newspapers? Has she arms, men, or ammunition, in an emergency to defend herself? Arkansas is crying for help. Our frontier is again assailed by the Indians and she will be left alone in her straits and without means. Missouri must yield to the pressure by which she is surrounded. The States of Illinois, Iowa, Indiana, Minnesota, Nebraska, and Kansas must soon silence her, and then Arkansas without means as she says must be overrun, and Texas must be the Ultimate Point in the campaign of subjugation and spoil. Under these circumstances is it wise for her to send, unasked and at the instigation of "Major Marshall," her men and arms? That wretch has been a blotch on humanity and will be a scab on Texas. I am ready as I have ever been to die for my country, but to die without a hope of benefit by my death is not my wish. The well-being of my Country is the salvation of my family! But to see it surrendered to Lincoln, as sheep in the shambles, is terrible to me.

I fear that in twenty days, or less, an assault will be made upon some part of our coast, & how are we prepared to repel it? Have we men? Will we have means? Our troops with Leaders, have never been beaten, and with good ones, they will always be invincible. Will Major Marshall, McLeod, Sherman, or the gallant men made by the convention, or committees of vigilance save us in an hour of peril. Does any one suppose that proclamations by a Clark will save the country in the hour of her peril, and no one else has power but those to whom I have referred! The fact that a park of flying artillery is on the vessel now in our harbor is proof that a landing is designed somewhere on the coast. The question arises is it wise to send our men and arms at the instance of Major Marshall?

These matters, my son, I have written to you, and have to say in conclusion, if Texas did not require your service and you wished to go elsewhere why all would be well, but as she will need your aid, your first allegiance is due to her and let nothing cause you in a moment of ardor cause you to assume any obligation to any other power whatever, without my consent. If Texas demands your services or your life, in her cause, stand by her.

Houston is not, nor will be, a favorite name in the Confederacy! Thus you had best keep your duty and your hopes together, and when

the Drill is over come home. Your Dear Ma and all of us send best love to you and Martin. Give my regards to General Rogers, Colonel Daly & Dr. Smith. When will you be home? my son?

Thy Devoted Father,

SAM HOUSTON.

Sam Houston, Jr.

THE MILITARY RECORD OF SAM HOUSTON IN THE U. S. ARMY AND CORRESPONDENCE IN RELATION THERETO.

Washington, D. C., June 9, 1894.

Hon. C. W. Rains, Austin, Texas:

Sir.—I have the honor to enclose you herewith two communications from the Acting Ajt. General of the War Department, bearing on the military record of the late Gen. Sam Houston of Texas in the U. S. Army.

As Col. Kilgore is now in Texas, and will not return here until late in June, I take the liberty of forwarding these communications at once, as considerable delay has already intervened, and I assume that you are anxious to receive the information. Very respectfully,

C. D. JARRATT,
Sec'y to C. B. Kilgore.

War Department, Adjutant General's Office,
Washington, June 7, 1894.

Hon. C. B. Kilgore, House of Representatives:

Sir.—I have the honor to acknowledge receipt, by reference from the Record and Pension Office, of your letter of the 23d ultimo, enclosing a communication from the Hon. C. W. Rains, Austin, Texas, with request that he be furnished with such information as he therein calls for respecting the military history in the U. S. Army of the late General Samuel Houston, and to enclose a statement containing all the information of record in this office relating to the officer named.

The records covering the period embraced in the enclosed statement are incomplete for ready reference, and the time necessarily consumed in the search made for information in the case has prevented an earlier response to your letter. Very respectfully,

THOMAS M. VINCENT,
Acting Adjutant General.

War Department, Adjutant General's Office,
Washington, June 7, 1894.

Statement of the military service of Samuel Houston, of the United States Army, compiled from the records of this office:

He served as private and sergeant in the Seventh Infantry from March 24 to August, 1813, and was appointed ensign, Thirty-ninth Infantry, July 29, 1813; accepted appointment September 15, 1813; promoted third lieutenant, Thirty-ninth Infantry, December 31, 1813; promoted

second lieutenant, Thirty-ninth Infantry, May 20, 1814; retained in First Infantry May 17, 1815, on reduction of the army under Act of March 3, 1815, and promoted first lieutenant in that regiment May 1, 1817.

He tendered his resignation, while in this city, March 1, 1818, to take effect that date, and it was accepted accordingly.

General Jackson's original report of the battle of Horse Shoe, Alabama, March 27, 1814, is not found on file, but in a transcript of the report, dated "On the battle ground of the Bend of the Talapoosie, March 28, 1814," the name of Sam or Samuel Houston does not appear. From records on file in this office, which were compiled from various sources regarded as authentic, and which are viewed as official, it appears, however, that Ensign Sam Houston was wounded at the battle referred to.

No charges of any kind against this officer are of record. Under date of February 24, 1818, from this city, he submitted to the Secretary of War, for his consideration and decision, certain documents indicating, among other matters, that on his arrival here he learned of a *rumor* to the effect that while acting as a sub-agent to the Cherokee Nation he prevented the organization of a Cherokee force marching to the relief or assistance of Major General Gaines. These papers appear to have been filed without action, and, as shown above, the resignation of the officer followed shortly afterwards, in which no reasons therefor were given.

THOMAS M. VINCENT,
Acting Adjutant General.

Houston's whole military experience is comprised in two campaigns. One was Jackson's campaign against the Creek Indians, including the battle of Tohopeka, March 28, 1814, in which Houston was an ensign in the Thirty-ninth (Col. Williams') regiment of United States Infantry. The other was the campaign of San Jacinto, including the battle in which Houston was the general commanding about 800 Texans against about 1250 Mexicans. It was Houston's fortune to be wounded in both battles; in the first severely. It is refreshing to learn that there never were any charges against Houston while in the United States Army, as insinuated in Lester's Life of Houston, on page 40. [C. W. R.]

MISCELLANEA.

BOWIE'S SUMMONS TO GENERAL COS TO SURRENDER BEXAR.

Camp Concepcion, near Bexar, 31st Oct., 1835.

To Gen. Cos, Commander-in-Chief of Bexar:

You are aware of the position of the forces under my command below Bexar, as well as that of Gen. Austin above town. The two bodies are

now prepared to act in concert with each other; but before further hostilities are resumed, I am induced by the most friendly and humane considerations for my Mexican fellow-citizens to open a communication with you in order to close the war & unnecessary effusion of blood. I fought you on the 28th with only a small detachment of ninety-two men. Should you feel disposed to enter into a negotiation for the accomplishment of this desirable object, your flag will be respected. In this event the war may be speedily and honorably closed & the rights of all secured. Your answer will be expected this afternoon. With sentiments of the highest consideration for your excellencies happiness,

I am Yrs. &c.,

JAS. BOWIE.

* * * and trust that you will allow that the volunteers who are just from their homes, accustomed to agricultural pursuits only fought you like soldiers and men resolved to live free or die. They have sworn to support & maintain the Federal Constitution of 1824; and they hold to that as their sheet anchor and will sooner part with life, than abandon it without further effort. It is with much difficulty these brave men can be now restrained, having been reinforced by a large number of their countrymen and recently flushed with victory purchased with no loss on their part.

BOWIE'S LETTER OF RESIGNATION TO GENERAL AUSTIN.

Camp below Bexar, Nov. 2, 1835.

To Gen. S. F. Austin:

Sir.—I take the liberty to tender to you my resignation of the nominal command I hold in the army. I hope you will appoint some other person to occupy the post, more capable than myself. Very respectfully,

JAS. BOWIE.

N. B.—I deem it of the utmost importance for you to effect a union of the two divisions of the army as soon as practicable. Great dissatisfaction now exists in the division and unless counteracted by the measure suggested I seriously apprehend a dissolution of it. The causes which have produced this state of things will be explained when I see you, when I will also explain my motives for taking the step I have taken in reference to myself. Very respectfully,

JAS. BOWIE.

[Marked] A true copy. W. Richardson.

BEN MILAM TO MAJOR FANNING.

San Felipe, Nov. 15, 1835.

Major Fanning:

Dear Sir.—Your letter of the 8th inst. is before me and for reply. The government here is now organized and will in the morning proceed to appointments and to business generally. Henry Smith is Governor and Colonel Robinson, of Nacogdoches, Lieutenant Governor. S. F.

Austin, B. T. Archer, and W. H. Wharton, agents to the United States. On tomorrow the Council will proceed to appoint officers, Treasurer, etc. I am spoken of as Treasurer, but decline if it can be filled otherwise satisfactorily. But as it is urged I suppose it will be tendered to me, which my interests in the country must prompt me to accept. Where the Council will hold its sessions is yet undetermined. I believe it will be Washington or Matagorda, probably the latter. The convention, however, will meet in Washington on 1st of March, if not sooner called. I shall go home on tomorrow, but will return if it is not determined on tomorrow that the Council removes to Matagorda.

Your army certainly has been badly conducted. We have forwarded all things even to recruits so far as has been called for and several wagons have been dispatched which have not been called for and yet we are publicly complained of. If your commander or his staff could see 2 inches from their noses and order supplies in time the country has many men and all that is necessary, if system was pursued and timely application made. The time, however, of the Sitting of the Convention has produced some delay, but I hope the same energy now on the organization of the Goverment will be Observed and you will have no Room to complain of the attention to your calls in future.

Our Lieutenant Governor appears to be a man of Industry and correct ideas.

I think as an Individual the troops ought not to leave Bexar if they can possibly help it, but If you can not, leave it in Good Order. When I go home I will cause a suitable number of Tents to be made and sent immediately to Copino or Dimitts on La Vaca, and from that packed out to Camps. If the 18 pound canon is at Matagorda it shall also be sent. But you ought not to look now for a suitable Quantity of Battering Canon & Ball sooner than to weeks. Now the Question is, will your men stay or will they not, or can you take the place without the Large Canon. If not then take time by the forelock and Retire in Order to Gonzales and fortify as you can if sufficient supplies in camp remain at Bexar.

We have various accounts of much interest here, all of which being communicated to the commandant I will omit them here.

You write me & Mr. Newell relative to your negroes and the purchase of my land. I wish you to be more definite as If I sell I must have half the amt. in March or April next, either in cash or negroes this will be necessary as we don't know how long we may be detained in public service and in the mean time I must as well as you keep my negroes employed to an advantage. But any service I can render you in your absence will be done to the utmost. If you advise me to buy a place for you or anything else you may request it shall be promptly complied with. But for the present I will have your negroes collected and as soon as you write me will do as you want. Your Pants and coat I fear I can not find in this place, but will try this evening. If I can

not find any I will send you a stout suit Immediately from Matagorda. Your orders will be at all times attended to with Pleasure. I remain truly your friend,

B. R. MILAM.

*General Houston had previously said that in his judgment as a military man, Bexar could not be taken without battering cannon and that in the meantime till the cannon could be procured, the army ought to fall back on the Guadalupe. Colonel Milam, a few weeks later, demonstrated the fallacy of this judgment by leading a successful assault on Bexar, in which battering cannon played no part. This was undoubtedly the most brilliant feat of arms ever performed in Texas at any period in our history, though that at the cost of the life of the heroic Milam. [C. W. R.]

PEACE OVERTURES TO TEXAS.

Ex-Gov. Jas. W. Robinson while a prisoner at Perote wrote to Santa Anna suggesting that if he was liberated and allowed to return home, Texas might be, on a proper basis, restored to Mexican rule. Robinson was taken out of prison and brought before Santa Anna at Mango de Clavo. After an extended interview and discussion of the whole matter in detail, Santa Anna liberated Robinson and authorized him to proceed to Texas with the following instructions and overtures of peace to Texas:

SANTA ANNA—JAS. W. ROBINSON.
Peace Overtures to Texas, 1843.

(Translation.)

The undersigned, being authorized by the Supreme Government of the Republic to hold a conference with Mr. James William Robinson, a Texian prisoner in the fortress of Perote, and to take into consideration his confidential communication "relative to matters of the utmost importance both to Mexico and Texas," embracing various suggestions as to the method of terminating hostilities between the parties, and having paid due attention to all he has to represent on the subject and discussed with deliberation each and all of the points indicated in the above mentioned communication, has agreed with the said Robinson upon the basis by which the object in view may be consummated and to this end he, the undersigned, by virtue of the authority vested in him, appoints the said Robinson as commissioner to proceed to Texas & in conformity therewith take such preparatory steps as he in his judgment may deem most suitable and conducive to the attainment of the object proposed. Therefore Mr. Robinson, agreeably to the tenor of the basis above mentioned, will:

Firstly, will intimate to the inhabitants proprietors in Texas that the Supreme Government is desirous to terminate the war with that territory, not because it considers itself without the means and resources to

maintain the contest and eventually triumph, but from motives of humanity and on account of the interest she feels for the welfare of these colonies.

Second, that for these reasons the Government offers to throw the mantle of oblivion over all the past, granting a full amnesty to all.

Third, that inasmuch as the interest of these inhabitants is peace, tranquillity and good order, and the security of their persons and property, the enjoyment of which they can not expect to realize while they remain in one continued state of turmoil, a natural consequence of this same war, the Supreme Government guarantees to them the full enjoyment of those blessings.

Fourth, that with this view, the inhabitants of Texas will lay aside their arms and it is an essential and imprescriptible condition that they recognize in Mexico her right of property to the territory and acknowledge the sovereignty of the nation, her laws, ordinances, and general orders.

Fifth, that inasmuch as this is the basis of the whole, none of the propositions will be entertained, or even listened to, until this shall be admitted by Texas in plain and unequivocal terms without the least modification.

Sixth, that this being admitted as a fundamental principle, above mentioned, Texas will be permitted to appoint her own functionaries and authorities, both civil and military, in conformity with the general constitution of the Republic.

Seventh, that no Mexican troops will be sent to Texas. She will depend upon herself for the security of that department as such and the defense of her frontier, which will be effected by her own forces formed of the resident citizens.

Eighth, that as regards the powers of the Legislature to approve or enact laws, with the exception of those esteemed necessary for the regulation of her internal police, the "Junta Departmental" may in the exercise of its functions present to the General Congress such as it may deem requisite.

Ninth, and finally, that in all other particulars Texas will conform to whatever may be established for the Government of the other departments of the Republic.

Taking for granted the foregoing as a basis, and Mr. Robinson promising faithfully to discharge the duties of his commission, in conformity therewith, and with the greatest zeal and efficiency, it is understood that the Supreme Government will receive with pleasure information of the favorable result of his laudable exertions or any deputation which in relation to the matter may be directed to the seat of Government, to which place I shall proceed in a few days again to resume the reins of Government, and I, on the present occasion by authority of the Government do grant to the aforesaid Mr. Robinson his liberty with permission to depart from the Republic when he may please, and I take this opportunity to congratulate myself upon the occasion now offered of becom-

ing the medium by which this agreement may be carried out. From its completion, should the result prove favorable, may be expected peace and tranquility to Texas and reincorporation to the Mexican Republic, of which it is an integral part.

In testimony whereof, I issue this document to the before mentioned Mr. Robinson at my estate Mango de Clavo, this 18th day of February, 1843.

[Signed]

ANT. LOPEZ DE SANTA ANNA.

The following letter was published in the Times and copied in the Civilian and other Texas newspapers:

“OVERTURES FROM MEXICO.

“SANTA ANNA’S PROPOSITIONS.

“*To the Editor of the Times:*

“Sir.—A few hours since, I arrived here from Vera Cruz, via New Orleans, and will leave immediately for Washington, to lay before his Excellency, the President, ‘the basis’ upon which war between Mexico and Texas may possibly be terminated, which basis, or propositions, emanate from, and bear the signature of, General Santa Anna, President of Mexico.

“First—It is proposed that Texas should acknowledge the sovereignty of Mexico.

“Second—A general act of amnesty to be passed for past acts in Texas.

“Third—Texas to form an independent department of Mexico.

“Fourth—Texas to be represented in the general Congress.

“Fifth—Texas to institute, or originate, all local laws, rules, and regulations.

“Sixth—No Mexican troops, under any pretext whatever, to be stationed in Texas.

“These being the principal basis of a projected treaty and other important points to be submitted to the President and the people, and, if they should be adopted by them, will give us among other important advantages, peace, and a release of our countrymen now in prison, and a market for our staple product, cotton, at twenty-five cents per pound at the Mexican ports, in specie, or forty cents per pound at a distance of from two hundred to three hundred miles from the coast.

“In 1842 we exported 18,000 bales of cotton at 500 pounds each, and, I presume, 1843 will produce 25,000 bales (12,500,000 pounds), this at twenty-five cents per pound, gives \$3,125,000, and allowing \$5 per bale for freight and charges, you have \$3,000,000 per annum, to form a ‘hard money’ currency for Texas, and I apprehend it may be fairly estimated that our product of that article will be doubled annually for many years, growing out of the increased price, the rapidly increasing immigration, and a market would also be opened for our beef, pork, lard, butter, corn, and other articles, both in Mexico and in Cuba. Time will not allow me to further debate upon this important subject, but I give this hasty

sketch with the assurance that the proper authorities will lay the documents speedily before the public. Respectfully, your obedient servant,

"JAMES W. ROBINSON.

"In addition to the propositions set down by Judge Robinson, we learn that Santa Anna has expressed his willingness to consent to the following, viz:

"That Texas shall elect all her own officers, civil and military.

"That the right to property in the soil, acquired by citizens under the present government, shall be secured, as also the right of property in their slaves.

"That all public lands, mines, and minerals, in the limits of the State shall be secured to the local government.

"That no laws affecting religion shall be enacted.

"These, and many other points, including the subjects of revenue, trade, etc., are reserved to be discussed and settled by agents appointed for the purpose, should Texas consent to entertain the subject.—Civillian."

Robinson's mission of reconciliation between Mexico and Texas failed, but it practically ended the war, having started a train of events which, under an armistice, tided Texas over to the great struggle resulting in annexation. President Houston affected to treat the matter with indifference, though he, without delay, through the great powers, entered into negotiations with Mexico leading to the armistice. Robinson's mission has not received adequate recognition from historians. [C. W. R.]

Washington, 5 Jany., 1844.

T. H. Polly, Esq.¹:

My Dear Sir.—Nothing new has occurred since I wrote you. The bill to remove the seat of Govt. back to Austin has passed both houses but will be vetoed by his *Excellency*. I have no doubt but he is opposed to annexation but will be careful to shape his *outward* course for either issue. You know he can look up chimney and into the pot at the same time. We shall have a proposition from the brittish in a day or two. I do not think the present Congress would favour anything but annexation. The anti-annexation party are, however, increasing, and will increase. A petition came to the Representative of Rusk county with 40 signers against annexation. I think those about the Government are against annexation. Why it is so, I leave you to judge. You know I have confidence nor friendship or influence at headquarters. I am, my dear Sir, your friend and Ob't Serv't,

T. PILSBURY.

¹ The letter was addressed to Polly at Brazoria. Pilsbury was a member of the Texas Congress. On annexation, he represented the western district of Texas in the United States Congress.—[C. W. R.]

INDEX TO VOL. II.

No attempt has been made to incorporate in this index a selection of names of individuals, taken from the thousands that occur in this volume—all in some important connection; but merely to furnish a compact key that will enable the reader to find everything in the book. If an event is wanted, it will be found under its proper heading; if a name, it will be found in connection with events or facts with which it is associated.

A.

Adjutant General's Department, 95-98; appointment and sketch of Col. John A. Hulen as Adjutant General, office force, and appropriations for department, 95; Gen. Scurry's retirement as Adjutant General, synopsis of his report, 98-98.

Agriculture, Insurance, Statistics and History, Department of, 286-289; office force, appropriations for department, sketch of Commissioner W. J. Clay, 286; insurance statistics, 286-288; insurance legislation enacted by the Twenty-eighth Legislature, receipts of department, 288, 289.

Agricultural and Mechanical College of Texas, appropriations, enrollment, attendance, review of reports, condition, needs, objects, prospects, work done, 305-306; college fund, 339.

Agricultural, Stockraising, Fruit and Vegetable Production, and other statistics (elaborate), 367-382.

Alamo, 235.

Alamo Monument, description and history of, 1-6; fragment in the State library, 3.

Anderson, W. B., sketch of, 289.

Annexation, 430-433, 438-450, 464.

Archer, Branch T., 430.

Armour & Co., opening of packery, 232.

Art Event of the Year in Texas, article by Bride Neill Taylor, 26-28.

Attorney General's Department, appropriations, assistants, work done, criminal statistics, 281-282.

Austin, Gen. Stephen F., 6; unveiling of statue of, 22 et seq.; also see 26-28, 222, 234, 235, 459.

Raines—30.

Austin, Wm. T., 142 et seq.; 167.

Austiniana, 426-450; commission of S. F. Austin as Adjutant of the Tenth Regiment of Missouri militia, 426; commission as judge in the territory of Arkansaw, 426; report to the committee at San Felipe, 427; letters to Bowie, 427-429; council of war, 429; instructions to commissioners to the United States, 430-432; letter to McKinney, 432-433; letter from Gov. Smith, 433-434; anonymous letter, 434-435; letter to Andrew Jackson and others, 435-436; Texas meeting in New York, 436-438; general and special instructions to W. H. Wharton, Texan minister plenipotentiary to the United States, 438-450.

B.

Baker's Scrap Book, extract from, 1-3.

Ball, Thos. H., 170, 185.

Bar Association, see Texas Bar Association.

Batts, R. L., 110, 136.

Baylor University, Dedicatory Exercises at, 319-325; first day's proceedings, 319; second day's, 319-323; third day's, 323-325; address of welcome by B. H. Carroll, 320 et seq.; responses, 322; address by President S. P. Brooks, 322 et seq.; other addresses, 323-324; degrees conferred, 324; banquet, 325. Also see 239.

Bee, Carlos, 15, 172.

Bee Culture, 371.

Belo, Col. A. H., unveiling of memorial window to, 94.

Bell, C. K., 145, 175, 184, 205, 281 et seq.

Black, Geo. H., sketch of, 91-92.

Blind Institute, see Texas Institution for the Blind.

- Board of Pardon Advisers**, 202.
- Boer Representatives**, Visit of to Austin, resolutions by the Legislature, reception in the hall of the House of Representatives, speeches by Gov. Lanham and Messrs. Schluter, Duff, Terrell, Reitz and others, movement to establish a Boer colony in Texas, 136-139.
- Boone, Benjamin Z.**, notice of death, and sketch, 42.
- Booth, Gen. William, and Party**, visit to Texas, 333-334.
- Bostick, Siron R.**, notice of death, and sketch, 33-34. See, also, 11.
- Bowie, James**, 427-428, 458-459.
- Bringhurst, Mrs. Nettie Power Houston**, 13 et seq.
- Briscoe, Mrs. Mary J.**, 12, 14, 22; notice of death, and sketch, 36-39.
- Briscoe, Andrew J.**, 38.
- Brown, W. M.**, notice of death, and sketch, 165-166.
- Brown, Thos. J.**, 193, 412.
- Browning, J. N.**, 190 et seq. Also see Twenty-eighth Legislature.
- Bryan, Guy M.**, 5, 6, 9.
- Bryan, William Joel**, 11; notice of death, and sketch, 34-35.
- Bryan, William Jennings**, visit of, to Austin, 353.
- Bugbee, Lester Gladstone**, notice of death and sketch, 401-402.
- Burke, Andrew Jackson**, notice of death, and sketch, 43-44.
- C.**
- Capitol**, 328-329.
- Carlton, Rev. Charles**, notice of death, and sketch, 320.
- Carroll, G. W. and F. L.**, 319 et seq.
- Chemoweth, J. Q.**, 78.
- Chicago Business Men**, Visit of to Texas, 352-353.
- Christian University**, see Texas Christian University.
- Clark, Addison, Jr.**, notice of death, and sketch, 424-425.
- Clay, W. J.**, brief sketch of, 286.
- Colquitt, O. B.**, 175, 184, 193; sketch of, 269-270, 310, 334.
- Company A ("Pioneer") Signal Corps**, T. V. G., 107-113; history of company, 124-128.
- Comptroller of Public Accounts**, Department of, 340-342; office force, appropriations, account of death of Col. Love and appointment of J. W. Stephens Comptroller, 340; taxable values of State, 341; bonded indebtedness, changes recommended in laws providing for assessment and collection of taxes, 342.
- Confederate Home**, appropriations, review of superintendent's report, condition, number of inmates, etc., 78-80.
- Confederate Monument in the Capitol Grounds**, history and description of, 80-82; unveiling of, 82-85; parade, 83-84; program of exercises, oration by Gov. Lanham, addresses by Judge Reagan, ex-Gov. Lubbock, Judge Yancey Lewis, and others, 83-85; closing ceremonies at night, 86.
- Confederate Pensions**, 80, 280.
- Confederate Veterans**, see United Confederate Veterans' Association, Annual Convention of, 50-70; Gen. Lee's Birthday, presentation of crosses of honor, 76-77; Texas Soldiers in the Confederate Service, 77-78.
- Conventions**, see State Democratic Convention, State Republican Convention, and State Populist Convention.
- Corporations**, 277, 278, 279, 281. Also see Oil, State Democratic Convention, and Twenty-eighth Legislature.
- Cos, Gen.**, 427 et seq.; 458, 459.
- Cotton Mills**, 277. Also see United Confederate Veterans' Association, the Annual Convention of, and State Department.
- Council of War Before San Antonio de Bexar Nov. 2, 1835**, 429-430.
- Cox, Joseph**, connection with Alamo Monument, 3 et seq.
- Cravens, N. A.**, 352. Also see Twenty-eighth Legislature.
- Criminal Statistics**, 282. Also see Texas State Penitentiaries.
- Crockett, David**, oil painting of from life, 14.
- Cotton**, 373 et seq.
- Cunningham, J. D.**, 291.
- Curl, J. R.**, sketch of, 269. Also see 274.

D.

- Dallas Artillery Company**, historical sketch of, handsomely illustrated, 119-123. Also see 102, 107-113.
- Dames of 1846**, organization of, officers etc., 48 et seq.
- Darden, Stephen H.**, notice of death, and sketch, 39-42. Also see 9, 11.
- Daughters of the Confederacy**, article by Mrs. Z. T. Fulmore, proceedings annual convention, officers elected, 86-87. Also see 95.
- Daughters of the Republic of Texas**, proceedings, annual meeting, officers elected, 13-18. Also see 95.
- Davis, Jefferson**, 11, 60 et seq.; 205.
- Deaf and Dumb Asylum at Austin (State)**, appropriations, statistics, improvements, educational possibilities, 314-315; permanent fund, 339. [Also see Institute for Deaf, Dumb and Blind Colored Youths.]
- De Berry, A. W.**, notice of death of, 165. Also see 412.
- Decoration Day**, observance of, in Texas in 1902-3, 94-95.
- De Cordova, P.**, notice of death, and sketch, 45-46.
- De Graffenreid, R. C.**, notice of death, and sketch, 158-159. Also see 185, 205.
- Democratic Convention**, see State Democratic Convention.
- Development of a Texas Enterprise**, 398-399.
- Dibrell, Joseph B.**, 6, 22, 168 et seq.; 416.
- Dibrell, Mrs. Joseph B.**, 10, 13, 16, 24 et seq.
- Dick Dowling Camp, U. C. V.**, 89-90, 255.
- Dodge, C. P.**, 289.
- Drake, Carl F.**, 355-361.
- Dunovant, Miss Adelia A.**, 86-87.
- Dunovant, William**, notice of death, and sketch, 92-93.

E.

- Education, Department of**, 300-303; office force, appropriations, 300; school statistics for the year ending August 31, 1902, permanent and available public school fund, 300-301; comparative table showing school population and apportionment for

twenty-two years, present educational conditions and outlook, 302-303.

English, J. N., sketch of, 273. Also see 202.

Encampments Held and Honors Won by the Texas Volunteer Guard, 107-113.

Encampment of the Texas Volunteer Guard (Division), July 22-30, 1902, 113-119.

Epileptic Colony at Abilene, history, site, buildings, 332-333.

Escheated Estates, 339.

F.

Fannin, J. W., 427, 429, 459, 460.

Farmers, see **Texas Farmers Congress**, **Texas State Farmers Institutes**. Also 367 et seq.

Farm Statistics, 367 et seq.

Finger, George W., notice of death, and sketch, 149-156.

Fish and Oyster Commissioner, report of, showing condition and needs of the fish and oyster industry, presenting statistics, etc., 294-296. Also see 339.

Fisher, Mrs. Rebecca J., 12, 13, 23, 24; poem dedicated to, 28-29.

Flag of the Forty-second Massachusetts Regiment, return of, by Dick Dowling Camp, U. C. V., history of flag, correspondence, etc., 89-90.

Flag Song of Texas, award of prize, 15-16, 18-19; song, 19-20.

Floriculture, 377 et seq.

Flowers, Battle of, 248.

Fort Worth & Denver City Ry. Co., see advertisement.

Foster, B. W., Sketch of, 291.

Fowler Family, Annals of, see advertisement.

Fruit and Vegetable Production, 367 et seq.

Fuller, T. A., notice of death, and sketch, 157.

G.

Gaines, R. R., 193.

Galveston Seawall, Dedication of, description of visiting United States

- warships, parade, speeches, laying of the cornerstone, banquet, 139-148.
- Gammel, H. P. N., 274 et seq.; 396 et seq.
- Gammel-Statesman Publishing Co., 396-398. See State Department. Also display advertisement.
- General Land Office, 282-285; office force, appropriations, 282; school fund and public domain, 283-284; sales, leases, receipts, etc., 285.
- Gilbert, C. E., sketch of, 271. Also see 328.
- Grand Army of the Republic, proceedings of annual convention, Texas division, officers elected, 87-89.
- Grant, Gen. Fred D., 87, 88, 222.
- Green, Gen. Thos. Jefferson, 5.
- Gulf, Colorado & Santa Fe Ry. Co., see display advertisements.
- H.**
- Harby, Mrs. Lee C., 15 et seq.
- Harlan, Sam, 216, 328-329.
- Harper, Dr. William Rainey, 323 et seq.
- Harris, T. G., sketch of, 309. Also see 317-318.
- Harrison, R. S., notice of death, and sketch, 164.
- Haynes, Harry, 240, 250 et seq.
- Health, see Public Health and Vital Statistics, Department of.
- Hicks, Marshall, see Twenty-eighth Legislature.
- Higginson, Rear Admiral Francis J., Visit to Galveston, 139 et seq.
- Hill, S. B., see display advertisement.
- Hobson, Capt. Richmond Pearson, visit to Austin, lecture at the University of Texas, banquet, etc., 134-136. Also see 236-237.
- Houston, Gen. Sam, 6; unveiling statue of, 22 et seq.; criticisms of statue, 26, 234, 235.
- Houstoniana, 450-458; poem to a young lady, 450; letter from a committee of gentlemen of Cincinnati, accompanying the gift of a brace of pistols, 450-451; letter from Gen. Jackson, 451-452; letter from Mrs. Houston to her son, Sam, 452-453; letter from Gen. Houston to Sam, 453; letter from Prof. M. F. Maury to Gen. Houston, 453-454; letters from Gen. Houston to Sam, 454-457; official statement of the military record of Gen. Houston, 457-458.
- Houston & Texas Central Railway Co., history of, 383-386. Also see display advertisement.
- Howard, B. M., sketch of, 417.
- Hughes, Em. S., personal notice, 273.
- Hulen, Adjutant General John A., sketch of, 95.
- Hume, F. Charles, 414 et seq.
- Hurt, J. M., notice of death, and sketch, 410-411. Also see 412.
- Hutchings, Henry, 103, 105.
- I.**
- Inauguration of Gov. S. W. T. Lanham and Lieut. Gov. Geo. D. Neal, proceedings of the joint session of the Twenty-eighth Legislature, 189-200; vote, by counties, for Gov. Lanham, 191-192; oath of office administered, speech of retiring Gov. Jos. D. Sayers presenting Gov. Lanham, 193; Gov. Lanham's speech, 193-198; Lieut. Gov. Neal's speech, 198; description of hall and throng, comment, 199-200.
- Inaugural Ball, 200-202; letters received from Hon. James K. Jones, Chairman of the Democratic National Executive Committee, and Hon. D. B. Henderson, Speaker of the U. S. House of Representatives, expressing their high opinion of Gov. Lanham and regrets at not being able to attend, 200-201.
- Independent Order of Odd Fellows, see Odd Fellowship in Texas.
- Industrial Institute and College for White Girls, act providing for, selection of site, laying of cornerstone, opening session, board of regents, etc., 310-311.
- Industrial Progress in Texas, commentary upon, 351-352.
- Insane Asylums, 329-333.
- Insanity, plea of in criminal cases, observations by Dr. B. M. Worsham, 329-330.
- Institute for Deaf, Dumb and Blind Colored Youths, 316-317.
- Insurance, 286-289.

International & Great Northern Ry. Co.,
see display advertisements.

Irrigation, 377 et seq.

Isthmian Canal Commission, 235-236.

J.

Jackson, Gen. Andrew, letter to Gen. Stephen F. Austin, 435-436; letter to Gen. Sam Houston, 451-452.

Jameson, Joe Lee, 200.

Jester, Geo. T., 168 et seq.

John B. Hood Camp, U. C. V., 76-77, 80 et seq.

Johnston, R. M., 168 et seq.

K.

Kendall, J. S., 307 et seq.

Kibbe, I. P., 294 et seq.

Kindergarten, see State Kindergarten Association.

Kirby, John H., sketch of, 345-351; speech before Lumbermen's Association of Texas in favor of a Texas exhibit at the Louisiana Purchase Exposition, 356 et seq. Also see Dedicatory Preface.

Kubena, John R., sketch of, 268.

L.

Labor Day, celebration of, in Texas, 383.

Land Office, see General Land Office.

Lands, 283 et seq. Also see Texas & Pacific Ry., Houston & Texas Central Railway, Southern Pacific Ry., Fort Worth & Denver City Ry., International & Great Northern Ry., and Gulf, Colorado & Santa Fe Ry.

Lane, J. Felton, 169.

Lanham, Gov. S. W. T., oration dedication of Confederate monument, 84, 114, 136, 137; nominated for Governor, speech of acceptance, 171 et seq.; portrait and sketch, 186-8; inauguration as Governor, 189-200; messages, mention, etc., 200, 202, 206, 219, 220, 244, 245, 248, 256, 267, 259, 273, 274, 281, 286, 289, 291, 294, 297, 308, 310, 314, 315, 316.

Lanham, Frederick, 136.

Lee, Gen. Robert E., observance of birthday by Daughters of the Confederacy presenting Southern crosses of honor, 76-77.

Lefevre, Arthur, 175, 300 et seq.; 317, 323.

Legislature, Twenty-eighth, 202-262; proceedings of regular session, 202, 244; proceedings of the first called session, 244-258; laws enacted and joint and concurrent resolutions adopted, 258 et seq.; valedictory message of Gov. Sayers, 205; resolutions in memoriam on the death of Congressmen Shepard and De Graffenreid, 205; resolutions on the retirement of Judge Reagan from public life, 205-206; U. D. C. memorial asking for the enlargement of the Confederate Home, 206; memorial presented asking for the enactment of a law restricting the employment of child labor in factories, 206; Gov. Lanham's first message, in extenso, 206-216; message from Gov. Lanham, 219-220; memorial from the Daughters of the Republic of Texas asking for \$25,000 to be appropriated for improving and caring for the San Jacinto battle ground and giving a history of all work previously done, 229-231; room in capitol set apart for the Daughters of the Confederacy, 231-232; Judge Reagan's criticism of the Austin and Houston statues, 234-235; ex-Gov. Sayers endorsed for appointment on Isthmian Canal Commission, 235-236; courtesies extended to Congressmen Burgess and J. Gordon Russell, 237; courtesies of the Senate and House extended to Hon. J. W. Bailey, 238; message from the Governor, 240-241; incidents attending adjournment of the Regular Session sine die, 242-244; first called session: proclamation of Governor Lanham, message of Gov. Lanham, 245; portrait of Hon. Roger Q. Mills accepted, 246-247; message from Governor Lanham, 248; Trans-Mississippi Congress, 252; trade relations between the Pan-American Republics, 252-253; resolution accepting portrait of ex-Gov. F. R. Lubbock, 254; message from the Governor, 256-257; votes of thanks, presents, adjournment sine die announced by Lieut. Gov. Neal, 256-257; similar action in the House, 257-258; courtesies of the Senate and House extended during the Regular and First Called Sessions, 258; amounts carried by the general, and other, appropriation bills, 258-259; action of Gov. Lanham thereon, 259; specification of certain important appropriations, 259-260; review of leg-

- isolation, 280; cost of the two sessions, 280; list of members and officers, 261-262.
- Lewis, Yancey, 7, 135, 253.
- "Life's Evening," poem dedicated to Mrs. Rebecca J. Fisher by Lillie Terrell Shaver, 28-29.
- Lincoln, Abraham, 227.
- Literature of Texas, article by James W. Lowber, Ph. D., 399-401.
- Live Stock, 341, 368 et seq.
- Live Stock Sanitary Commission, 362.
- Local Option, 293.
- Looscan, Mrs. Adele B., 14, 22 et seq.; 36.
- Lott High School, see display advertisement.
- Louisiana Purchase Exposition, 216, 223, 227, 355 et seq.
- Love, R. M., 175, 184, 205, 249; account of death, 340.
- Loving, George B., notice of death, and sketch, 364-365.
- Loving, J. C., notice of death, and sketch, 362-363.
- Lubbock, ex-Gov. F. R., 7, 9, 11, 21, 24, 63, 65, 77, 169 et seq.; 254, 320 et seq.
- Lubbeek, Mrs. Sarah Elizabeth Black, 11, 14; notice of death, and sketch, 44-45.
- Lumbermen's Association of Texas, 355-359; officers elected, next place of meeting chosen, 355; Louisiana Purchase Exposition, resolution and remarks thereon by John H. Kirby, 355 et seq.
- Lumber Industry of Texas, critical review of existing conditions, statistics, article by Carl F. Drake, 359-361.
- M.**
- Masonry in Texas, brief history of, 404-406. Also see 30.
- Maury, Prof. M. F., letter to Gen. Sam Houston, 453-454.
- Mayfield, Allison, 193, 334.
- Methodist Episcopal Church South, General Conference of, article by Rev. D. W. Gardner, 402-404.
- Mexican War Veterans, see Texas Mexican War Veterans' Association.
- Milam, Ben. R., letter to Col. J. W. Fannin, 459-460.
- Military Order of Foreign Wars of the United States, 130-132.
- Mills, R. Q., 250.
- Miscellanea, 458-464; Bowie's summons to Gen. Cos to surrender Bexar, 458-459; Bowie's letter of resignation to Gen. Austin, 459; letter from Ben Milam to Maj. Fanning, 459-461; peace overtures to Texas, extended by Santa Anna through Jas. W. Robinson, 461-463; comments thereon, 464; letter from Pilsbury to Polly relative to annexation, 464.
- Morse, Chas. S., notice of death, and sketch, 411. Also see 412 et seq.
- Murchison, Thomas Franklin, sketch, 93-94.
- M.**
- McArdle, H. A., 228-229; article concerning, 409. Also see frontispiece.
- McDonald, J. G., Sr., 236.
- McGary, Dan L., notice of death, and sketch, 93.
- McKinley, President William, allusions to, 58 et seq.
- McLean, W. P., 170 et seq.
- McLemore, Jeff, 182.
- McLeod, Gen. Hugh, 5.
- McNulty, B. F., 314.
- N.**
- Nangle, Mr., sculptur of the Alamo monument, 3.
- Natives and Pioneers of the Republic of Texas, 10; organization, proceedings of the meeting in 1903, etc., 21-22.
- Neal, Lieut. Gov. Geo. D., 144 et seq.; nominated for Lieutenant Governor, 175, 184; sketch, 188-189; inauguration as Lieutenant Governor, 189-200.
- Neff, Pat. M., Speaker of the House of Representatives of the Twenty-eighth Legislature, 16, 76 et seq.; 138 et seq.; 170 et seq.; 190 et seq.; 202-202; sketch, 263-264, 319.
- Negro, education of, 312.
- New Orleans Merchants, Visit of, to Texas, 352.
- Ney, Miss Elisabet, 22 et seq.; 26 et seq.

Normal Institutes (State), 306-309; each is mentioned in Index under its proper heading.

North Texas Hospital for the Insane, appropriations, statistics, etc., 330-331.

North Texas State Normal, appropriations, attendance, plan, work accomplished and projected, 307-308.

Norton, N. L., 81, 232.

O.

Ochiltree, Thos. P., notice of death, and sketch, 162-163.

Odd Fellowship in Texas, history of, article by Jas. L. Autry, Past Grand Master of the Grand Lodge, I. O. O. F., of Texas, 407-408.

Oil Fields, Beaumont, Corsicana, Sour Lake, and Saratoga, statistics covering production, shipments, stock on hand, refineries, etc., 365-367.

Old Settlers' Association of Bell County, extract from address to, delivered by C. W. Raines, 417-424.

Orphan Home, see State Orphan Home.

P.

Pardon Advisers, see Board of Pardon Advisers.

Pardons Granted, 276.

Parker, Isaac Duke, notice of death of, 43.

Patteson, James, 202-262; sketch of, 264-265.

Peabody Fund, 238. Also see Normal Institutes.

Pease, Gov. E. M., 6.

Peeler, John L., 132, 200, 255, 256.

Pendleton, Geo. C., 168.

Penitentiaries, see Texas State Penitentiaries.

Pennybacker, Mrs. Percy V., 311, 317.

Petroleum, 289, 290, 298. Also see Oil Fields.

Pilsbury, T., letter from, 464.

Piner, H. L., 313.

"Pioneer" Signal Corps, T. V. G., see Company A. (Pioneer) Signal Corps, T. V. G.

Platform, State Democratic, 177 et seq.

Polly, T. H., letter to, 464.

Poll Tax, see Legislature, Twenty-eighth, for allusions to.

Ponton, Thos. Joel, sketch of, 267.

Populist, see State Populist Convention.

Potter, Reuben M., 4 et seq.

Prairie View State Normal and Industrial College, appropriation for, work done by, attendance, etc., 311-312.

Prather, William Lambdin, 7, 15, 17, 19, 233, 303, 320 et seq.; 412, 415.

Press Corps, 240.

Pritchett, H. C., 306.

Prohibition, see Local Option.

Public Buildings and Grounds, see Superintendent of Public Buildings and Grounds.

Public Domain, 283 et seq.

Public Health and Vital Statistics, Department of, creation of, appropriations for, objects in view, 327-328.

Public Schools, see Treasury Department, and Education, Department of.

Purchasing Agent, see State Purchasing Agent.

R.

Railroad Building in Texas, Influence of, 394-395.

Railroad Commission of Texas, commissioners, appropriation, statistics covering mileage, indebtedness, and earnings of roads, accidents, etc., 334-336.

Railroads Consolidated by Acts of the Twenty-eighth Legislature, 336-337.

Railroad Construction, history of, 383 et seq.

Railway Systems in Texas, Operating More Than One Line of Road, lines composing them and mileage of each of said lines, 337-338.

Raines Mansion, see display advertisement.

Ramsey, Sidney L., sketch of, 267-268.

Ranger Force, how constituted, work done by, benefits derived from, 128-130.

Reagan, John H., 11, 21, 60 et seq.; 71-76, 77, 169 et seq.; 193, 205, 234, 260, 320 et seq.; 334.

- Reagan, Mrs. John H., 87.
 Republican, see State Republican Convention.
 Revenue Agent, see State Revenue Agent.
 Rice, 380 et seq.
 Robbins, J. W., 175, 184, 332, 339.
 Roberdeau, R. C., 111 et seq.
 Roberts, O. M., 255, 415.
 Robinson, J. W., bearer of peace overtures from Santa Anna, 461-464.
 Roosevelt, President Theodore, 47, 131, 200.
 Rogan, Chas, 282 et seq.
 Russell, J. Gordon, 158, 185, 186, 237.
- S.**
- Salvation Army, 333-334.
 Sam Houston Normal Institute, appropriations, enrollment, condition, 306.
 San Antonio de Bexar, council of war before, 429-430.
 Sandera, Morgan G., sketch of, 265-266.
 Also see 202-202.
 Sanford, W. L., Confederate poem by, 50.
 Sanger Bros., vote of thanks to, 67.
 Sanger, Philip, notice of death, and sketch, 90-91.
 San Jacinto, Battle of, see frontispiece.
 San Jacinto Battleground, 16, 21, 229-231 et seq.
 San Jacinto Day, celebration of, 7-8.
 Santa Anna, 7, 32, 34, 461-464.
 Sayers, Gov. Jos. D., 23 et seq.; 52 et seq.; 77, 98, 105, 113 et seq.; 129, 133, 193 et seq.; 205, 235, 236, 276, 279, 281, 291, 310, 313, 314, 334, 352.
 Sayers, W. B., 169.
 Savage, Geo. W., 202-202; elected President pro tem, 256.
 Seawall, Galveston, dedication of, 139-148.
 Schley, Admiral W. S., Visit of, to Texas, reception and speeches at capitol, banquet at Elks Hall, in Austin, etc., 132-134.
 Schluter, L. S., 136, 170 et seq. Also see 202-202.
 Scurry, Gen. Thos., 24, 52 et seq.; 95, 96, 101 et seq.; 107, 108 et seq.; 113 et seq.; 128, 130, 132.
- School Fund, 339, 342. Also see Education, Department of.
 Shannon, William T., 190, 198 et seq.; 202-202; sketch, 343-344.
 Shelley, Gen. Henry E., 81 et seq.; 202; sketch, 272.
 Sheppard, John L., notice of death, and sketch, 160-162. Also see 185, 205.
 Sheppard, Morris, 160-162, 185.
 Sieker, L. P., 7, 81, 97.
 Slaughter, C. C., 50 et seq.; 320 et seq.
 Smith, Gov. Henry, letter to Stephen F. Austin, 433-434.
 Smith, Thos. S., 170.
 Southern Pacific Ry. Co., history and description of, 386-389.
 Southwestern Insane Asylum, synopsis of report, 331. Also see 339.
 Southwest Texas Normal School, appropriation, site, buildings, date of opening, sketch of superintendent, etc., 308-309.
 Stacy, Maj. Gen. W. H., sketch of, 98-100. Also see 101, 105, 106, 110, 114 et seq.; 130 et seq.
 Stafford, Robert N., 22 et seq.; 202-202.
 State Democratic Convention, 167-182; welcoming speech by Judge Wm. T. Austin and reply by Judge James B. Wells, 167; committee appointed, 168-169; resolutions on retirement of Judge Reagan from public life, 169; resolutions on the death of Hon. Thos. S. Smith, permanent officers elected, 170; speech of Judge Reagan nominating Hon. S. W. T. Lanham for Governor, 171; Lanham nominated by acclamation, speech of acceptance, 172; remainder of ticket nominated, 175; Hon. James B. Wells elected chairman of the State Democratic Executive Committee, 175; other members of that committee announced, 175; platform committee's report and discussion thereof, 176-177; platform as adopted, 177-180; resolutions adopted, 181-182.
 State Department, 274-281; office force, appropriation, State contract with H. P. N. Gammel, 274-276; pardons granted, receipts of department, companies chartered, changes in the law suggested, 276-281.
 State Kindergarten Association, organization and officers of, 318.

- State Lunatic Asylum**, synopsis of report, 329-330.
- State Orphan Home**, appropriation for, status, number of inmates, statistics, etc., 315-316. Also see 339.
- State Populist Convention**, 183.
- State Purchasing Agent**, office force, appropriation, methods of buying, saving to the State, comparative statistics, 289-291.
- State Republican Convention**, 182-183.
- State Revenue Agent**, facts and statistics relative to the enforcement of occupation tax laws, additional legislation recommended, etc., 291-293.
- Statues**, Gen. S. F. Austin and Gen Sam Houston, 22-26, 27, 234, 235.
- Stephens**, J. W., sketch of, 340.
- Storey**, L. J., 334.
- Sugar Cane**, 376.
- Stone Fort at Nacogdoches**, 17.
- Superintendent of Public Buildings and Grounds**, extracts from report of, 328.
- T.**
- Tabor**, Geo. R., 115, 327, 328.
- Taxable Values**, 334-336, 341, 367-382.
- Taxes**, Evasions to Escape Payment of, 196, 211, 279, 280, 342.
- Terrell**, A. W., 138 et seq.; 205 et seq.; 251-253, 412.
- Terrell**, John J., 153 et seq.; 175, 184; sketch, 270-271, 282.
- Texas Bar Association**, history of, article by A. E. Wilkinson, 412-416.
- Texas Cattleraisers' Association**, annual convention, officers elected, etc., 361-362.
- Texas Christian University**, interesting inaugural and dedicatory exercises at, 325-326.
- Texas Farmers' Congress**, 227, 353-354. . .
- Texas Farmers' Institute**, 354.
- Texas Federation of Woman's Clubs**, annual meeting, officers elected, 398.
- "**Texas Flag**," poem by Mrs. Laura V. Grinnan, 20-21.
- Texas Independence Day**, celebration of, 6-7, 229, 232 et seq.
- Texas Institution for the Blind**, appropriations for, enrollment, interesting resume and comments by Superintendent Piner, 313-314; fund, 339.
- Texas Meeting in New York**, favoring the Texan cause in the revolution of 1835-6, 436-438.
- Texas-Mexican War Veterans' Association**, proceedings of annual meetings held in Fort Worth in 1902 and 1903, number of soldiers who participated in the war, etc., etc., 47-50.
- Texas & Pacific Railway Co.**, history of road and description of the country along its lines, 391-394. Also see display advertisement.
- Texas Penitentiaries**, 296-300; officers, 296-297; appropriations for system, 297; former and present conditions, alleged shortage at Rusk, 297; prison and other statistics, 298; methods of management, 298-299; fund, 339.
- Texas Revolution**, Causes of, extract from address of C. W. Raines before Old Settlers' Association of Bell County, 417-424.
- Texas Soldiers in the Confederate Service**, 77-78.
- Texas Teachers' Association and Superintendents' and Principals' Association**, proceedings of, 317-318.
- Texas Veterans' Association**, proceedings of annual meetings held in 1902 and 1903, 8-13. Also see 246.
- Texas Volunteer Guard**, 101-106, 113-119. Also see 216, 236, 238.
- Texas Volunteer Guard, Encampments Held, and Honors Won by**, article by Gen. Thos. Scurry, covers State and interstate competitive drills, 107-113.
- Tobacco**, 376 et seq.
- Tobin**, Mrs. Benedette B., 86.
- Tod**, John G., 24, 203, 274 et seq., 416.
- Treasury Department**, office force, appropriations for department, tabular statement showing condition of various State funds, bonded indebtedness, etc., 339.
- Turner**, E. P., sketch of, 390.
- Turney**, W. W., 168 et seq., 361.
- Twenty-eighth Legislature**, see Legislature, Twenty-eighth.
- Tyler**, Geo. W., 14, 417.

U.

United Confederate Veterans' Association, the annual convention of at Dallas, April 22-25, 1902, 50-70; poem by W. L. Sanford, 50; preparations for the reunion, 51-52; opening exercises at Albert Sidney Johnston Cantonment, 52-53; speeches by Gov. Sayers, Mayor Ben M. Cabell, Judge G. B. Gerald, W. C. McKamy, W. L. Crawford and Gen. John B. Gordon, 53-57; meetings of the Association of Medical Officers of the Army and Navy of the Confederacy, 57 et seq.; meetings of the United Sons of Confederate Veterans, 58 et seq.; memorial service in honor of President Jefferson Davis, meeting of the Confederate Memorial Association, arrival of the Kaliph, ball in honor of the sponsors and maids of honor, smoker to visiting newspaper men, reception to visiting Alabamians, 58; second day's proceedings, 58-62; death of Gen. Wade Hampton announced, remarks thereon, allusion to President McKinley by "Private" John Allen, orator of the day, and Gen. Stephen D. Lee, resolutions by Gen. Walker, New Orleans selected as the place for the next annual reunion, resolution adopted designating June 3 (President Jefferson Davis' birthday), as Memorial Day, to be observed throughout the South for the decoration of soldiers' graves, 59-60; officers elected, 61; telegrams received, votes of thanks extended for care bestowed upon Confederate graves, distinguished persons presented, 61; communication from the only living daughter of President Davis, speech by Hon. Minton Wallace of Arkansas, Kaliph's parade, 62; third day's proceedings, 63-66; grand Confederate parade, commands and organizations in column, line of march, special features, incidents, etc., 63-65; informal reception to Tennesseans, 65; meeting of Walker's division, complimentary concert, 65; election of president of Confederate medical officers and president of U. S. C. V., concerts by the Grand Army band, Kaliph's ball, 66; fourth day's proceedings, 66-67; buffalo dinner, impromptu meeting at which reminiscent addresses were delivered, votes of thanks, reception by Shriners, 66; general order issued by Gen. Gordon reviewing the reunion and bestowing praise where he deemed it especially due, 67-68; officers of Mouton's division elected, dis-

play of Texas products, comments on the Dallas News' special edition, proceedings of the board of directors of the Confederate Veterans' Association after the reunion, 69; cost of the reunion and how the money to meet it was secured, 69-70; general remarks, 70.

University of Texas, appropriations, enrollment, attendance, condition, prospects, 303-304. Also see 339.

Unveiling of the Statues of Gen. Stephen F. Austin and Gen. Sam Houston, ceremonies, history of statues, 22-26, 27, 234-235.

V.

Values, see Taxable Values.

Van Zandt, K. M., 51 et seq.

Vital Statistics, see Public Health and Vital Statistics, department of.

Volunteer Guard, see Texas Volunteer Guard.

Votes Cast at the General State Election held Nov. 4, 1902, 184-186.

W.

War Between the States, a notable address by Judge John H. Reagan on the cause of, 71-76.

Warships, U. S., Visit of to Galveston, 139-148.

Washington, Booker T., Visit to Houston, 326-327.

Webster's International Dictionary, see display advertisement.

Wells, Jas. B., 167 et seq., 247.

Wharton, W. H., instructions to as one of the Texan commissioners to the United States in 1835, 430-433; general and special instructions to in 1836 as minister plenipotentiary from Texas to the United States, 438-450.

Williams, F. A., 175, 193.

Women's Clubs, see Texas Federation of Women's Clubs.

Women's Relief Corps, 88-89.

Wooldridge, A. P., 132, 310.

World's Fair, see Louisiana Purchase Exposition.

Worsham, B. M., 133, 251, 256, 329, 332 et seq.

Wozencraft, A. P., 52 et seq.; 110, 120 et seq.

Z.

Zavala, Lorenzo de, sketch of (translation from the Spanish of Sosa), 29-33.

INDEX TO VOL. I.

Vol. I of the "YEAR BOOK FOR TEXAS" met with a most favorable reception.

The Index is reproduced here, for the reason that it is believed that upon examination thereof, many readers of Vol. II will desire to order Vol. I, the first of the series.

The edition of Vol. I is nearly exhausted. If you desire a copy of that volume it will be necessary to order at once.

For executive and other officers, and their terms of service, under the Permanent Council, Provisional Government, Government ad interim, Republic of Texas and State of Texas, for like information concerning heads of departments and institutions, members of conventions (from 1832 to 1875), members of Congress (Republic of Texas, Confederate and United States), see index below for article covering the period, department, Congress, institutions, etc. For records of public service of S. F. Austin, R. R. Royall, Henry Smith, David G. Burnet, Gen. Sam Houston, M. B. Lamar, Anson Jones, J. Pinckney Henderson, or others, turn to articles covering each position in which they served. For facts relating to the history of art and literature, industrial development, etc., consult articles covering subjects. The articles devoted to State departments and institutions contain the principal facts connected with their establishment and subsequent history.

The figures following titles in the index refer to pages.

A.

ADD-RAN UNIVERSITY, 1-2; faculty, lecturers, 2.

ADDENDA, 425.

ADJUTANT GENERAL'S DEPARTMENT,¹ 2-5; Adjutant Generals, list of, 3.

ADMINISTRATIONS, 6-14; Permanent Council, 6-10; Provisional Government, 10-11; Government ad interim, 12; Republic of Texas, 12; State, 13-14.

ART IN TEXAS, article by Bride Neill Taylor, 14-17.

AGRICULTURE, INSURANCE, STATISTICS AND HISTORY, DEPARTMENT OF, 17-18; list of Commissioners, 18.

AGRICULTURAL AND MECHANICAL COLLEGE OF TEXAS, Board of Directors, list of Presidents, etc., 19.

ATTORNEY GENERAL'S DEPARTMENT, 20-24; list of Attorney Generals of the Republic, 21; of the State, 22-23; Office Assistant Attorney Generals, 20; list of Assist-

ant Attorney Generals, representing department of the Court of Appeals, and later in Court of Criminal Appeals, 23.

AUDITORS, Republic and State, 24.

AUSTIN COLLEGE, 25; list of presidents, 25.

AUSTIN, S. F., allusion to portrait of, 15.

B.

BAILEY, HON. J. W., 67, 70; election of United States Senator, 201-202.

BAPTIST CHURCH IN TEXAS, article by B. F. Fuller, 25-27; pioneer preachers, 25; institutions, 26-27; summary of statistics, 27.

BAYLOR UNIVERSITY, ORIGIN AND HISTORY, presidents, attendance, buildings, etc., 28.

BECTON, DR. E. P., sketch of, 29; mention of, 31.

BELL, HON. CHARLES K., ATTORNEY GENERAL OF TEXAS, 20; sketch of, 29-30; mention of, 70.

BELO, COL. A. H., sketch of, 30-31.

¹ In the list of Adjutant Generals read James S. Gillett instead of John S. Gillett. Further research since volume 1 was published has brought to light the following facts which, it is believed, render complete the list of Adjutant Generals: Ben F. Hill was Adjutant General from the early part of 1850 to the summer of 1851. H. L. Upshur was Acting Adjutant General thereafter until James S. Gillett was appointed Adjutant General November 24, 1851. Gillett served until the office was abolished in 1856.

- BLIND, TEXAS INSTITUTION FOR, 31-33; list of Superintendents, 31.
- BOYD, HON. SAM R., sketch of, 33; mention of, 218, 221.
- BROWN, HON. THOMAS J., ASSOCIATE JUSTICE OF THE SUPREME COURT, sketch of, 34; mention of in article on Supreme Court, 106-108; in article on Court of Civil Appeals, Fifth District, 121; as administering oath of office to Governor Sayers, 369.
- BROWNING, HON. J. N., LIEUTENANT-GOVERNOR, sketch of, 35-36; mention of in list of Lieutenant-Governors, giving dates of election, etc., 165; second inauguration, legislative proceedings, 201; mention of as presiding officer of the Senate, 219; also, see 369, 387.
- BRYAN, HON. GUY M., sketch of, 36-40; member of U. S. Congress, 68; legislative proceedings in memoriam, 209; President Texas Veterans' Association, 400 et seq.
- BURLESON, RUFUS C., D. D., LL. D., 26, 28; sketch of, 40-41; mention of, 401.
- C.
- CATHOLIC CHURCH, statistics, 42.
- CHILTON, HON. HORACE, sketch of, 42-43; mention of, 56, 67.
- CHRISTIAN CHURCH, OR DISCIPLES OF CHRIST, article by J. W. Lowber, Ph. D., 43-45; pioneer preachers, 48; doctrines, 44-45.
- CHRISTIAN SCIENCE, article by Robert L. Ziller, 45-47; history, 45; doctrines, 47.
- CLAIMS, COMMISSIONERS OF COURT OF, 48.
- COMPTROLLER OF PUBLIC ACCOUNTS,¹ 48-52; valuation of real and personal property, including live stock, assessed for taxation, 1901, compared with 1900, 49; railroads, names, mileage, value, rolling stock, etc., 50; total value of property assessed in State from 1846 to 1900, both inclusive, 51; list of Comptrollers under Republic, 51-52; list of Comptrollers under State government, 52.
- CONFEDERATE HOME, AUSTIN, 52-58; list of Superintendents, 57; inmates, 58.
- CONGRESS, CONFEDERATE, MEMBERS OF FROM TEXAS, 67-68.
- CONGRESS, MEMBERS OF, REPUBLIC OF TEXAS, 58-66; First, 58-60; Second, 60-61; Third, 61-62; Fourth, 62; Fifth, 62-63; Sixth, 63-64; Seventh, 65; Eighth, 65-66; Ninth, 66.
- CONGRESS, UNITED STATES, MEMBERS OF FROM TEXAS, 67-70.
- CONGRESSIONAL DISTRICTS OF TEXAS, 71.
- COOPER, OSCAR H., LL.D., sketch of, 72; mention of in list of Superintendents State Department of Education, giving dates of election and terms of service, 140.
- COTTON, INTERESTING FACTS ABOUT AND IN CONNECTION WITH, 73-77; comparative statement of cotton ginned from the crops of 1900 and 1899 in each State and Territory, 73; cotton ginned in 1900-1901 and 1899-1900 in each Texas county, 74-75; receipts at Galveston and New Orleans, 75; acreage in each of the cotton States, seasons of 1899-1900 and 1900-1901, 76; receipts each year from 1893 to 1901, both inclusive, at ports named, 76; establishments for ginning cotton in Texas, 77.
- COTTON SEED OIL INDUSTRY, history and present status, 77-81.
- CONVENTIONS, 81-92; of 1832, 81-82; of 1833, 83-84; General Consultation, 84-87; Plenary, 87-88; Annexation, 88-89; Secession, 89-90; Union, 90-91; Reconstruction, 91; Constitutional of 1875, 92.
- COURT, SUPREME, OF THE REPUBLIC, 92-103; creation and early history, 92-97; district judges and district attorneys during the Republic, and the first under the State, 95-96; judges who sat as members of the court at the various terms held, 97-99; review by Hon. O. M. Roberts of the work done by the court, the occasion being the presentation of a portrait of ex-Chief Justice John Hempill, 99-103.

¹ George J. Durham, chief clerk of the department, served as Acting Comptroller from April 1 to October 1, 1856, and from November 11, 1856, to March 1, 1857, during the absence of Comptroller James B. Shaw, who went to Washington, D. C., under authority of an act of the Legislature approved February 2, 1856, to detect and prevent the payment of fraudulent certificates of public debt. The Seventh Legislature passed an act, approved February 15, 1858, making an appropriation to pay Durham the same salary as the Comptroller for the time served.

² U. S. figures on horses, mules, cattle, sheep and other live stock also given.

COURT, SUPREME, STATE, 103-110; organization, 103; tabular statement giving names of judges, terms of service, and dates of all changes to the present time, 103-106; volumes of reports in which decisions of the court, as variously constituted, are contained, 106-108; clerks of the court, terms of service, 108; reporters of the court, ditto, 108; volumes of reports containing proceedings in memoriam, 108-9; remarks of Hon. A. W. Terrell on the death of ex-Associate Justice T. J. Devine and ex-Chief Justice O. M. Roberts, 109; remarks of Hon. R. S. Gould and Chief Justice Gaines on the death of ex-Chief Justice A. H. Willie, 109; presentation of resolutions and remarks by ex-Attorney-General McLeary and Hon. R. S. Gould on the death of ex-Chief Justice Stayton and response of Chief Justice Gaines thereto, 109-110; salaries of judges, clerks and reporter, 110.

COURT OF APPEALS, 110-116; creation of court by the Constitution of 1876 and change of its designation to Court of Criminal Appeals by an amendment to the Constitution of 1876 adopted September 22, 1891, 110; tabular statement giving list of judges, terms of service, and date of all changes from creation of the court to the present time, 110; clerks, 111; history of the court as gathered from the reports, 111-116; resolutions presented, and remarks on, the death of Presiding Judge M. D. Ector by Hon. George W. Chilton, and other proceedings in connection therewith, 112; death of Thomas Smith, clerk of the court at Tyler, and proceedings in connection therewith, 112-113; proceedings in memoriam on the death of Judge Winkler, 113; death of A. M. Jackson, Sr., reporter, 113; salaries of judges and reporter, 116.

COMMISSION OF APPEALS, 116-118; act creating Commission and tabular list of Commissioners, giving names, terms of service and changes, 116; further history, 117-118.

COURTS OF CIVIL APPEALS, 119-123; creation, 119; tabular list of judges, giving names, terms of service and changes, and names of clerks: First District, Galveston, 119; Second District, Fort Worth, 119; Third District, Austin, 120; Fourth District, San Antonio, 120; Fifth District, Dallas, 121; act creating the Fourth and Fifth Districts, 120-121; supreme judicial districts, 121-123.

CORN, WHEAT, OATS, BARLEY, RYE, POTATOES, AND HAY, statistics covering production of, 124-125.

CULBERSON, HON. C. A., 22, 67, 163, 209.

CULBERSON, HON. D. B., 69, 70, 209.

CRAVENS, HON. N. A., PRIVATE SECRETARY TO THE GOVERNOR, sketch of, 125.

CUMBERLAND PRESBYTERIAN CHURCH, SYNOD OF TEXAS, article by Rev. I. S. Davenport, 126-127; statistics, institutions, etc., 126; pioneer preachers, 127.

D.

DALLAS ART GALLERY, 16.

DAUGHTERS OF THE CONFEDERACY, article by Mrs. Cone Johnson, 127-129; organization and work, 128; officers, 129.

DAUGHTERS OF THE REPUBLIC OF TEXAS, article by Adele B. Looscan, Historian D. R. T., 129-133; organization and objects, 129-132; work, 132-133; Executive Committee, Compiling Committee and officers, 133.

DAVIS, HON. JEFFERSON, allusion to portrait of by McArdle, 250.

DEAF AND DUMB, TEXAS INSTITUTE FOR THE, AUSTIN, 134-137; officers, Board of Trustees, appropriations, pupils enrolled, attendance, 134; list of Superintendents, 135; history, etc., 136-137.

DEAF, DUMB AND BLIND COLORED YOUTHS, INSTITUTE FOR THE, 137-138; present status, 137-138; Superintendents, 138.

E.

EDUCATION, DEPARTMENT OF, 139-141; statistics, 139; tabular list of Superintendents, 140; history, 140-141.

EDUCATION IN SAN ANTONIO UNDER THE SPANISH REGIME, article by I. J. Cox, 142-148.

ELLIOTT, COL. JOHN F., sketch of, 148.

ENCAMPMENT, T. V. G., 1901, 149-150; officers and men in attendance, 149; Adjutant-General's report to the Governor, 149-150; recommendations by Major General Openheimer, 150.

ERRATUM, 425.

F.

FAIRS, 150-152; Texas State Fair, Dallas, history and officers, 150-151; San Antonio International Fair, history and officers, 151-152.

FEDERATION OF WOMEN'S CLUBS, article by Mrs. Percy V. Pennybacker, 153-155; history, 153-154; first, second, third and fourth annual meetings, 154-155.
 FISH AND OYSTER COMMISSIONER, 155-156.
 FOSTER, HON. L. L., 18; sketch of, 156-157.
 FRUIT AND TRUCK GROWING IN TEXAS, 157-158.
 FULLER, B. F., sketch of, 159.

G.

GAINES, HON. R. R., CHIEF JUSTICE OF THE SUPREME COURT OF TEXAS, 106, 108, 109; sketch of, 106.
 GARY, HON. HAMPSON, sketch of, 161-162; mention of, 210; Spanish war, 382.
 GILES, CAPT. W. M., sketch of, 162.
 GOVERNORS OF THE STATE, names, dates of election and inauguration, and historical notes, 163-164; Lieutenant-Governors, ditto, 165.
 GRIFFITH, GEN. J. S., sketch of, 166-168.

H.

HAINES, C. H., sketch of, 168-169.
 HARLAN, HON. SAM, sketch off, 169; mention of, 334.
 HENDERSON, HON. TRAVIS, 218; sketch of, 170.
 HOUSTON, GEN. SAM, reference to portrait and statue of, 15.
 HUBBARD, HON. RICHARD B., sketch of, 170-171; legislative proceedings in memoriam, 210-211.
 HUDDLE, W. H., 14; sketch of, 171-172.
 HUGHES, EM. S., sketch of, 333.
 HUME, HON. F. CHARLES, sketch of, 172-176.

I.

INDIAN FIGHT, article by Hon. A. J. Rose, embodying remarkable account of A. W. Morrow, 176-180.
 INSANE, INSTITUTIONS FOR THE, dates and facts connected with creation, development, statistics and present status, 180-188; State Lunatic Asylum, Austin, 180-183; list of Superintendents, 183; North Texas Hospital for the Insane, Terrell, 183-187; list of Superintendents, 186; Southwestern Insane Asylum, San Antonio, 187-188; list of Superintendents, 187.

J.

JAMESON, HON. JOE LEE, STATE REVENUE AGENT, sketch of, 188-189; mention of, 370; report of as State Revenue Agent, 393-396.
 JOHNSON, MRS. CONE, article by, 127; sketch of, 189-190.
 JOHNSON, HON. JEFFERSON, 17, 19; sketch of, 190-192.

K.

KARNES, HENRY, allusion to painting representing breaking through walls with a crowbar at San Antonio, 250.

KENDALL, HON. J. S., sketch of, 285.

L.

LAND OFFICE, creation, opening, outline of subsequent history, list of Commissioners, with terms of service, synopsis of report of present Commissioner, etc., 192-197; list of Commissioners, 195-196.

LANE, HON. JOHN FELTON, sketch of, 197-199.

LANHAM, HON. S. W. T., 69, 70; sketch of, 199-200; nomination of Hon. Jos. D. Sayers for Governor by, 207.

LEFEVRE, HON. ARTHUR, 139, 140; sketch of, 200-201.

LEGISLATURE, TWENTY-SEVENTH, review of important legislation and action by, 201-227; beginning and close of regular and first and second called sessions, 201; Inauguration of Governor Sayers and Lieutenant-Governor Browning, 201; election of Hon. J. W. Bailey, United States Senator, 201-202; resolutions thanking ladies of the State, physicians, Republic of Mexico, and Red Cross Society for aid rendered sufferers from the storm of September 8, 1900, 202; resolutions endorsing action of the Governor in inviting a committee of the Merchants' Association and Chamber of Commerce of New York City to visit Texas, and providing for the appointment of a legislative committee to co-operate with the Governor, 202; resolution inviting ex-Governor Hogg to address joint Senate and House committee on constitutional amendments, 202; act fixing August 31 as the termination of the fiscal year, 203; appropriation for North Texas Normal at Denton, 203; State flower of Texas, 203; amendment to Constitution providing for payment of poll tax as a prerequisite to exercise of right of

suffrage, 203; resolutions on the death of President Harrison, 203; memorial page dedicated to Attorney-General T. S. Smith, and other proceedings relative to his decease, 203-204; resolution inviting President McKinley to visit Texas, 204-206; act accepting donation of land and making an appropriation for the establishment of the Southwest Texas Normal School at San Marcos, 205; act providing for a four years' college course at Prairie View Normal, 205; act changing name from "Frontier Battalion" to "Ranger Force," and providing for organization and support of force, 205; proceedings in memoriam on the death of Mrs. W. H. Tobin, 205; use of Senate chamber granted to Texas Veterans' Association and Daughters of the Republic of Texas, 206; action for relief of district affected by the storm of September 8, 1900, 202, 206, 207; appropriation to erect near La Grange vault over remains of Mier prisoners, 206; blacklisting defined and penalty provided therefor, 206; ditto to trafficking in examination questions, 206; appropriation for the support of the State government for the six months ending August 31, 1901, 206-207; sheriff's fee bill, 207; act for payment of Texas volunteers for service prior to their enlistment in the war against Spain, 207; act donating taxes to Galveston, 207-208; cruelty to animals punishment provided for, 208; act for establishment of an Industrial Institute and College for white girls, and commissioners appointed to select site for same, 208; First National Bank incident, 208; proceedings in memoriam on the death of ex-State Senator R. H. Harrison, 208-209; ditto on the death of Hon. Guy M. Bryan, 209; ditto on the death of Hon. H. W. Lightfoot, 210; ditto on the death of Hon. R. B. Hubbard, 210-211; presentation of photographic group of Fourteenth Legislature, 209; presentation of an oil portrait of Hon. D. B. Culberson, 209-210; concurrent resolution endorsing movement to form an association to build upon the site of the Alamo a monument to the heroes of 1836, and establish and maintain a public park surrounding same, 211; acts apportioning the State into congressional, senatorial and representative districts, 211; act authorizing erection of seawalls, 211; memorial of the Daughters of the Republic of Texas asking an appropriation for life-size marble statue of General Sam Houston, 211-212; Governor authorized to contract with Miss Elisabet Ney for production of said statue, to cost \$5000, 212; presenta-

tion of oil portrait of Sterling C. Robertson, 212-213; resolutions on the death of Senator L. J. Farrar, 214; resolutions on attempt to assassinate President McKinley, 213; death of President McKinley announced, resolutions on, etc., 214-215; memorial services in honor of, 215-217; appropriation for the support of the State government for the two years ending August 31, 1903, 217-218; \$10,000 appropriation for the erection of a monument to the memory of General Albert Sidney Johnston, 218; resolutions providing for legislative investigating committee, Senators and Representatives appointed members of same, 218; tabular list of members of the Senate, giving numbers of and counties constituting districts, postoffice addresses, nativity, ages, etc., etc., 219-220; ditto House, 221-224; officers of the Senate and House, 225; marriage of Senator D. McNeill Turner and Mrs. S. M. Franklin in the hall of the House at noon on day of adjournment sine die, 225-227.

LIBRARIES IN TEXAS, 228.

LIGHTFOOT, HON. HENRY W., as Chief Justice Court of Civil Appeals, 121; legislative resolutions on death of, 210; sketch of, 229.

LITERATURE OF TEXAS, OUTLINE OF, article by Addison Clark, Jr., 229-234; earliest writers, 229-230; poetry, 231; fiction, 231-232; Texas history, 233; Scholarship, 233; newspapers and periodicals, 234.

LIVE STOCK SANITARY COMMISSION, 234-235; list and terms of service of members since creation of commission, 235.

LLANO ESTACADO, THE PECULIARITIES OF THE, article by Mrs. Fannie Gooch Iglehart,* 235-237.

LOVE, HON. R. M., COMPTROLLER OF PUBLIC ACCOUNTS, 48, 52; sketch of, 237-238.

LUBBOCK, EX-GOVERNOR, F. R., 36, 52, 60, 61, 163, 165; birthday, 238-239; mention of, 401, 405.

LUMBER INDUSTRY IN TEXAS, 239-243; history of the business, from the beginning, in Southeast Texas, 239-240; quantity of timber standing in Texas, 240; carload shipments from Southeast Texas mills from 1891 to 1900, both inclusive, 241; statistics for whole State, number of mills, value of same, value of output, wage earners,

*Name incorrectly appears as Mrs. Fannie Gooch Inglehart at head of article.

growth of business, etc., 241-243; cut and shipments in 1901 and amount on hand in 1902 in Louisiana, Arkansas and Texas, 242; markets, 242; large lumber companies, 243.

M.

MANUFACTORIES, 243-249; gross value of principal Texas manufactures, 243; comparative summary of Texas manufactures from 1850 to 1900, including number of establishments, capital, wage earners, wages, value of products, total population of State for each year, etc., etc., 244; urban manufactures, covering thirty Texas towns, 245; number of establishments engaged in manufacturing in each of the several counties of Texas in 1900, and total amount of capital invested in same, 246-247; kind, number, total capitalization and value of output of a number of principal manufacturing establishments in Texas in 1900, 247-248; gold and silver production, 248; industrial combinations, 248-249; cotton mills in Texas, 249, 289; coal and pig iron production, 249.

McARDLE, H. A., sketch of, 249-252.

McKENZIE COLLEGE, 377, 379.

McKINLEY'S, PRESIDENT, TRIP THROUGH TEXAS, 252-264; New Orleans, 253; Houston, 253-255; Prairie View, Hempstead and Brenham, 256; Austin: arrival, military escort, order of march, carriages and their occupants, procession up Avenue to capitol, 257-258; remarks of President McKinley, from the east gallery of capitol, Governor Sayers, ex-Governor Lubbock, Hon. John H. Reagan, Hon. L. J. Storey, members of the Legislature and leading citizens of Austin and other towns seated on platform, 259; reception of Mrs. McKinley and other members of the party in the Senate chamber, 260; Mrs. McKinley presented with a souvenir medal by Mrs. Rebecca J. Fisher, 260; arrival of President McKinley and the other gentlemen in the Senate chamber and remarks of the president there, 260; at the University of Texas, 261; State dinner at the Governor's mansion, 261; press banquet and reception of Postmaster General Smith at the Driskill hotel, 261; committeees, 261-262; San Antonio, 262-263; El Paso, 263-264.

MABRY, GENERAL W. H., 4, 380.

MAYFIELD, HON. ALLISON, member of Railroad Commission of Texas,

sketch of, 264-265; mention of in article on Railroad Commission, 339, 343; in State Department, 393.

METHODIST EPISCOPAL CHURCH, SOUTH, article by Rev. D. W. Gardner, Texas Conference, 266.

MILAM, BEN R., allusion to painting representing calling for volunteers at San Antonio, 250.

MISSIONS OF THE SAN ANTONIO VALLEY, article by Adina de Zavala, 267-270.

MOODY, COLONEL, W. L., sketch of, 270-274.

N.

NATIONAL BANKS IN TEXAS, statistics relating to, 275.

NAVY, TEXAS, SECRETARIES OF, 275.

NEAL, HON. GEORGE D., mention and record of, 219; sketch of, 275-276.

NEW YORK VISITORS, 276-277.

NEY, MISS ELISABET, 15-17, 212.

NORMALS, 277-286; Prairie View State Normal and Industrial College, history, description, etc., 277-279; list of principals, 279; Sam Houston Normal Institute, Huntsville, history, present status, description of buildings, statistics, etc., 280-284; sketch of Superintendent, 284; ditto North Texas State Normal College, Denton, 284-285; sketch of Superintendent, 285; Southwest Texas Normal School, San Marcos, 285-286.

O.

OIL, PRELIMINARY HISTORICAL SKETCH OF THE DISCOVERY AND DEVELOPMENT OF PETROLEUM IN TEXAS, 286-289; history, including number of wells, output, storage tanks, pipe lines, refineries, etc. of Corsicana field, 289-291; ditto of Beaumont field, including also statistics as to tank steamers, tank cars, markets, date of coming in of gushers, etc., etc., 292-299; see 390 for number of charters for oil companies secured in 1901, capitalization, etc., etc.

ONDERDONK, R. J., sketch of, 300-301.

ORPHANS' HOME, CORSICANA, establishment of, officers, number of inmates, list of Superintendents, etc., 301.

P.

PALM, SIR SWANTE, allusion to bust of, executed by Miss Elisabet Ney, 17; donation to University of Texas Library, 418.

PANAMA, article by Mrs. V. O. King, 302.

PARDON ADVISERS, BOARD OF, date of creation of office, duties performed by board, list of incumbents and terms of service, 303-304.

PENITENTIARIES, history of, from earliest legislation providing for, to the present time, 304-320; officers and Penitentiary Board, duties of, 304-305; extracts from report of Superintendent and Financial Agent showing operations and giving statistics relating to prison population, buildings, farms, etc., 305-312; list of Superintendents and other principal officers, beginning with the first appointed and including present incumbents, giving dates of appointment, terms of service, etc., 312-314; history to war between the States, 314-319; during the war, 319-320; since the war, 320.

PENSIONS PAID BY THE STATE, review of legislation and statistics, 321.

PLEMONS, HON. W. B., sketch of, 321-322.

POSTOFFICE DEPARTMENT AND POSTMASTER GENERALS OF THE REPUBLIC, 322-327; under administration of Permanent Council, 322-324; Provisional Government, 324-325; Government ad interim, 325; Republic, 325-327.

POSTMASTERS' ASSOCIATION, third annual convention, 327-328.

POTTER, REUBEN M., allusion to portrait of, by McArdle, 250.

PRESBYTERIAN CHURCH IN THE UNITED STATES, SOUTHERN, statistics, institutions and early history, 329.

PRESBYTERIAN CHURCH IN THE UNITED STATES, SYNOD OF TEXAS, article by Rev. Edward B. Wright; pioneer preachers, history and statistics, 328-329.

PRESIDENTS OF THE REPUBLIC, dates of election and inauguration, historical notes, constitutional provisions relating to, etc., 330-331; Vice-Presidents, ditto, 331-332; annexation, 331-332.

PRINCE, HON. R. E., sketch of, 332.

PRINTING BOARD, 332-333; facts relating to composition, history and duties of, 332-333; sketch of Em. S. Hughes, 339.

Raines—31.

PRITCHETT, HON. H. C., sketch of, 284.

PROTESTANT EPISCOPAL CHURCH Diocese of Texas, Diocese of Dallas, Missionary District of Western Texas, institutions, visits of Bishop Leonidas Polk in 1840 and 1844, 333-334.

PUBLIC BUILDINGS AND GROUNDS, SUPERINTENDENT OF, 334-335; creation and history of office, and list of Superintendents and their terms of service, 334; salaries, appropriations, etc., 335.

PURCHASING AGENT, 335-337; creation and appropriations for support of office, 335; extracts from report of Agent showing work done, savings accomplished, etc., 336-337.

Q.

QUARANTINE DEPARTMENT, 337-339; appropriations for and force employed by department, 337-338; movement of yellow fever line in the United States, 338; list State Health Officers, giving dates of appointment and terms of service, 339; act creating department, 339.

R.

RAILROAD COMMISSION, 339-343; legislation creating and establishing, present status, etc., 343; tabular list of Commissioners, from first appointment to present incumbents, giving terms of service, etc., 343; salaries of Commissioners and office force, appropriations, etc., 339; extracts from report, 339-342; miles of railroad track in operation June 30 of each year from 1891 to 1901, and total main line mileage, January 1, 1902, 340; rank of Texas, 341; gross earnings, ratio of income to aggregate of stocks and bonds, to valuation of roads made by Commission, and the value of roads as assessed by the Commission, 341; reduction of fixed charges, good accomplished by Commission, 341-342; statistics, giving number of railway officers, and employes, rolling stock and equipment, 342-343.

RANGER FORCE, operations of, reorganization of, companies and company officers, appropriations for support of, 343-345.

REAGAN, HON. JOHN H., CHAIRMAN OF THE STATE RAILROAD COMMISSION, mention of, 67, 68, 69, 90, 92, 339, 343, 401; sketch of, 345-348.

RICE CULTURE, STATUS AND POSSIBILITIES OF, 348-353; history of beginning and development in Texas, 348; production, methods and requisites of cultivation, rice area, value of lands, etc., 348; introduction and early history of rice culture in America, 350; statistics as to consumption, etc., 350-351; harvesting, mills, by-products, markets, etc., 351-352; capital invested, 353; imports, exports, and outlook, 353; extracts from address of S. F. B. Morse, 352-353; officers of Rice Association of America, 353.

ROBBINS, HON. JOHN W. STATE TREASURER, overwhelmingly endorsed, 208; member Printing Board, 332; sketch of, 354; Treasury Department, 403-405.

ROGAN, HON. CHARLES, COMMISSIONER OF THE GENERAL LAND OFFICE, sketch of, 354.

ROSE, HON. A. J., 18; article contributed by, 176; sketch of, 355-356.

ROWE, CHARLES WESLEY, sketch of, 356-357.

S.

ST. EDWARD'S COLLEGE AUSTIN, date of founding, etc., 358.

ST. LOUIS VISITORS, trip through Texas, hospitality extended to, and opinions expressed by, 359.

ST. MARY'S ACADEMY, AUSTIN, when founded, character, attendance, etc., 359.

SAVAGE, HON. GEORGE W., 201-218; sketch of, 357-358.

SAYERS, HON. JOSEPH D., GOVERNOR OF TEXAS, beginning and end of terms as Governor, 14; dates of election to Congress, 69-70; mention of, 135, 141, 149; dates of election and inauguration as Lieutenant-Governor, 165; as Governor, 163; mention of, 186, 207; reception of President McKinley, 257, et seq.; action taken, memorial services presided over and remarks made on death of President McKinley, 214-216, et seq.; invitation to New York business men to visit Texas, 202; reception and courtesies extended them, 276; mention of, 309, 338, 344, and elsewhere in connection with appointments, and with operations of State government; BIOGRAPHICAL SKETCH AND REVIEW OF ADMINISTRATION AS GOVERNOR, 359-374; at funeral of Geo. Sealy, and opinion of deceased, 376; disbursement of money to pay Texas Spanish war volun-

teers, 385; influence exerted to secure business-like methods in management of State institutions, etc., 395; successful efforts to improve Volunteer Guard, 414-415.

SCURRY, HON. THOMAS, ADJUTANT GENERAL OF TEXAS, mention in connection with encampment of 1901, 149; biographical sketch of, 374-375; Spanish war record, 380 et seq.; visit to Washington and appropriation secured by to pay Texas Spanish war volunteers, and disbursement of same, 385; Volunteer Guard, 414.

SEALY, COL. GEORGE, sketch of, 376-377.

SOULE UNIVERSITY, 377-379.

SOUTHWESTERN UNIVERSITY, GEORGETOWN, 377-379; history, departments, faculty, degrees conferred, enrollment, objects, etc., 377-378; Rutersville College, McKenzie College, Wesleyan College and Soule University, facts concerning, 379.

SPANISH WAR, TEXANS WHO SERVED IN, 379-386; regiments, companies, officers and men, 379-382; where mustered in, where served, and where mustered out, total number, etc., 382-383; promotions and appointments, 383-385; pay, 385-386.

STAFFORD, HON. ROBERT N., appointed member of Investigating Committee, 218; Senate, 220; biographical sketch of, 386-387.

STATE CONTRACT WITH H. P. N. GAMMEL, 387-388.

STATE DEPARTMENT, Secretary of State, duties of, appropriations for department and receipts of same, 389; charters filed from January 1, 1899, to December 31, 1901, 389-390; history of department and list of Secretaries of State, giving terms of service, Republic, 391-392; State, 393.

STATE LIBRARY, 396-397; under the Republic, 396; under the State to 1881, 396-397; since 1881, 397.

STATE REVENUE AGENT, 393-396; salary of and work done by Agent, recommendations for betterment of service, etc., 393-395; act creating office, and tabular list of incumbents, giving date of appointment and terms of service, 396.

STOREY, HON. L. J., MEMBER STATE RAILROAD COMMISSION, mention of in list of Lieutenant-Governors, 165; Railroad Commission, 339-343; biographical sketch of, 397-399.

SWEET, ALEX, sketch of, 399-400.

T.

TABOR, HON. GEO. R., STATE HEALTH OFFICER, mention of as head of Quarantine Department, 387-389; sketch of, 400.

TEXAS VETERANS' ASSOCIATION AND DAUGHTERS OF THE REPUBLIC OF TEXAS, annual meeting of, 400-402; members in attendance, 401; death roll, 401; officers, 401.

THOMSON, T. C., sketch of, 402.

TOD, HON. JOHN G., SECRETARY OF STATE, member State Board of Education, 141; chairman Printing Board, 332; head of State Department, 389; sketch of, 402-403.

TREASURY DEPARTMENT, STATE, 403-405; office force, appropriations for, receipts, disbursements, cash on hand to credit of different funds, etc., 403-404; tabular list of State Treasurers, giving terms of service, etc., 404-405.

TREASURY, SECRETARIES OF DURING THE REPUBLIC, 405-406; list of Secretaries and terms of service, history of office, etc., 405-406.

TRINITY UNIVERSITY, TEHUACANA, location, character, objects, officers, attendance, degrees conferred, etc., 406.

U.

UNITED CONFEDERATE VETERANS—TEXAS ORGANIZATION, article by Col. Joel H. B. Miller, 407-408; purposes, 407; national and department officers, statistics, etc., 407; officers Texas organization, 407-408; independent Confederate organizations, 408.

UNIVERSITY OF TEXAS, article by John A. Lomax, Registrar, 408-411; history of, conception, creation, endowment, location, opening and development, 408-410; government, general policy, co-education, 410; attendance each year since opening, 410-411; income, appropriations for, Board of Regents, Faculty, representative character of student body, etc., 411.

WHAT THE UNIVERSITY OF TEXAS IS DOING FOR TEXAS HISTORY, article by Dr. Geo. P. Garrison, 411-413; character of the Southwestern historical field, 412; what H. H. Bancroft has, and has not, done, 412; objects had in view by the University, 412; historical work done, 412-413; State Historical Association fostered, 413.

UNIVERSITY OF TEXAS LIBRARY, facts furnished by Benjamin Wyche, Esq., Librarian, 413-414; location, description, contents, donations to, government, 413; library class, State Library Association, 414.

V.

VOLUNTEER GUARD, 414-416; reorganization of, 414-415; armories, Spanish war, rank of Texas, 415; commands, equipment, pro rata appropriation received from U. S. government, 416.

W.

WALLIS, COL. J. E., sketch of, 416-418.

WAR, SECRETARIES OF, REPUBLIC OF TEXAS,¹ names, terms of service, historical notes, etc., 418.

WAR AND MARINE, SECRETARIES OF, REPUBLIC OF TEXAS, names, terms of service, etc., 418-419.

WAYLAND, HON. JOHN A., sketch of 419-420.

WESLEYAN COLLEGE, 377, 379.

WILLIAMS, HON. F. A., ASSOCIATE JUSTICE OF THE SUPREME COURT OF TEXAS, mention of, 106, 108, 119; sketch of, 420-421.

WOMANS' PRESS ASSOCIATION, article by Dora Fowler Arthur, 421-424; date of organization, objects, qualifications of members, 421; early women writers, 421; mention of work of various writers, 421-423; outlook, 423; officers, 423-424.

X.

YOUNG, GEN. W. H., sketch of, 424-425.

¹ In note 1 to said article read May 26, 1836, instead of March 26, 1836, as the date Lamar tendered his resignation.



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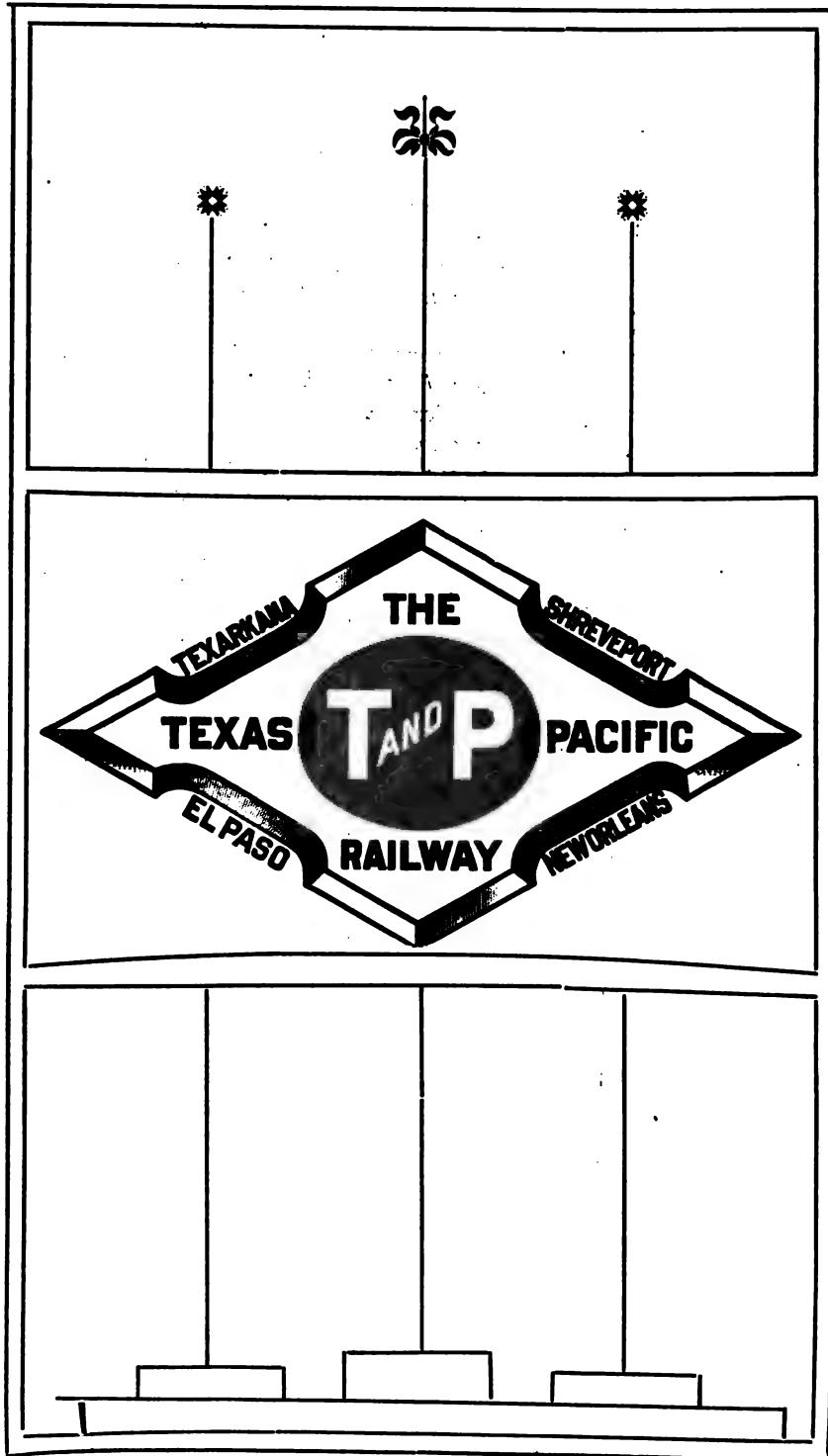
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MANY are satisfied to live in Northwest Texas, having proved the value of the land in this region as a good crop raiser. Not only cattle, but wheat, cotton, corn, feed-stuffs, cantaloupes, garden truck and good health flourish here—in a region where malaria is impossible and very little doing for jails and hospitals Land, which is being sold at really low figures—tho' the constantly increasing demand is steadily boosting values—is still abundant; and farms and ranches of all sizes, very happily located, are being purchased daily. We will gladly supply all askers with a copy of a little book, published by the Northwest Texas Real Estate Association, which contains an interesting series of straightforward statements of what PEOPLE HAVE ACCOMPLISHED along the line of

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Everything good for the sons of men,
Is found in the land of the I. & G. N.
To eat or to drink, to wear or to see,
'Tis found where 'tis wanted, whatever it be,
And 'tis not only found in the I. & G. N. land,
But in quantum sufficit; and please understand,
If you doubt in your mind, that we really have more
Of utility, beauty and goodness in store;
Utility found in mine, forest and soil,
Yielding easy reward to industrious toll;
Of beauty in landscape, and women, and then,
Of goodness in women and bravery in men,
Of good looking children, both healthy and sweet,
Who go to good schools and have plenty to eat;
And the way they do come—well, no boasting is meant,
But they rarely fall short of five hundred per cent.
Then again, if you doubt all we say may be true,
Read it over once more, then here's what you do:
Buy a ticket to Texas, and don't forget then,
To see it reads over the I. & G. N.,
The great Texas railroad, which moreover, and,
Is the smoothest thing loose in the Lone Star land.
You may speed like the wind to the wild, woolly west,
Where the red Rio Grande, overhung by the crest
Of mountain whose summit is lost in the mist,
And first to be warmed by the morning sun's kiss;
In superb parlor car you may thread the rich plain,
Dotted over with cattle and waving with grain,
The rich Brazos Valley, the great black land belt,
Instinctive with progress that is seen and is felt.
You may rush through the forest of hard-wood and
pine,
Catching glimpses of factory, of shop and of mine,
Where Pomona and Ceres stand ready to yield
To the touch of the hand from the orchard and field;
A mile in a minute, you may fly to the shore
Of Mexican Gulf, where, perhaps, there are more
Of health and of pleasure in the breezes that blow,
Than are found on the earth, where'er you may go;
You may go to the mountain, may traverse the plain,
May thread the dark forest, and gaze on the main;
May cross all the rivers, without ups and downs,
Reach all the large cities and most of the towns;
And this is the point which we'd like to make plain,
You can do the whole thing on an I. & G. N. train.
And when you have sized up the I. & G. N. land,
You surely will back our proverbial stand,
That everything good for the sons of men
Is found in the land of the I. & G. N.

STRAIGHT FACTS: YOU UNDOUBTEDLY WILL.

If you are coming to Texas, if you desire to travel over the fairest and best portions of the State, if you want to make a trip out of Texas, or anywhere, apply to any passenger ticket agent of the road, or write to D. J. PRICE, General Passenger and Ticket Agent I. & G. N. Railroad Co., Palestine, Texas.

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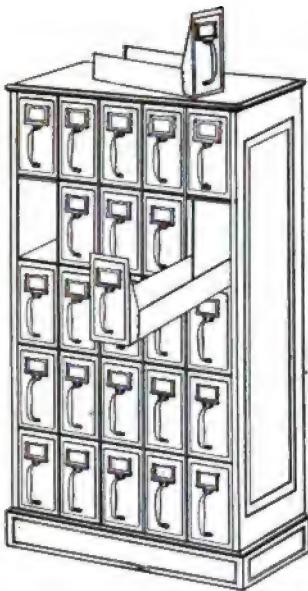
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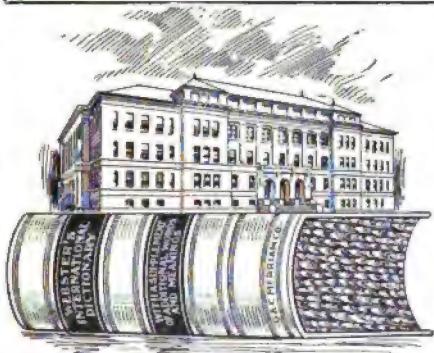
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